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# Parliamentary Debates

## VOL. XXVIII.

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☞ *All Communications intended for insertion in this Work, will be carefully attended to; provided they are forwarded to Mr. Hansard in ten days after the Debate to which they refer took place.*

Peterborough Court, Fleet Street.

# THE
# Parliamentary Debates
FROM
THE YEAR
1803
TO THE PRESENT TIME:

FORMING A CONTINUATION OF THE WORK ENTITLED
"THE PARLIAMENTARY HISTORY OF ENGLAND FROM THE EARLIEST
PERIOD TO THE YEAR 1803."

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PUBLISHED UNDER THE SUPERINTENDENCE OF
T. C. HANSARD.

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## VOL. XXVIII.

COMPRISING THE PERIOD
FROM
THE SEVENTH DAY OF JUNE
TO
THE THIRTIETH DAY OF JULY,
1814.

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1814.

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THE PARLIAMENTARY HISTORY OF ENGLAND, from the Earliest Period to the Year 1803, from which last mentioned epoch it is continued downwards to the present time, in the Work entitled, "The PARLIAMENTARY DEBATES," published under the Superintendence of T. C. HANSARD.

The Twenty-Third Volume will be ready for delivery in December, bringing the Parliamentary History of England down to December, 1783.

*Nov.* 20, 1814.

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# THE

# Parliamentary Debates

During the Second Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland, appointed to meet at Westminster, the Fourth Day of November 1813, in the Fifty-fourth Year of the Reign of His Majesty King GEORGE the Third. [*Sess.* 1813/14.

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## HOUSE OF LORDS.

*Tuesday, June* 7, 1814.

CORN EXPORTATION BILL.] The Earl of *Hardwicke* rose to move the second reading of the Corn Exportation Bill. The object of the Bill, he said, was to allow the free exportation of corn and meal without bounty. Although in the present state of the price of corn in this country the Bill would have very little effect, its effect on Ireland would be great and immediate; for by carrying off the surplus produce, and thus keeping the market from depression, it would afford a material protection to the agriculturist. He was not aware that this measure could be objected to, either by those who approved of, or by those who objected to the restraints on importation, except on account of the abolition of the bounty on exportation. As to this bounty, which was *5s.* per bushel on the exportation of wheat when at forty-eight shillings the quarter or under, it could not be supposed that it would at any period not very remote, have a practical effect as an encouragement to the farmer. They should not therefore, refuse an immediate benefit, because it is coupled with a supposed evil so remote. His lordship then concluded by moving the second reading of the Bill, after observing that another House had recently appointed a committee for the full investigation of the subject of the corn laws, and that he thought their lordships would not misemploy their time in appointing a committee for the same purpose.

Lord *Grenville* said he was far from objecting to the Bill before the House, or wishing to prevent the farmer, or any other body of men, from deriving the advantages which their capital and their industry might give them, by any restraint on the freedom of commerce; but he wished to be understood, that his consent was not given to this measure as forming any part of, or as being connected with the other measure relative to the same branch of trade, which had for some time been agitated in another place. It was not regular to debate that measure which had been debated in another place, and which happily had been postponed, at least for the present session, and which he thought—whether rightly or not—would if passed, be most detrimental to the manufacturing interest, but above all, most detrimental to the landed interest of this kingdom. But he had taken the first opportunity of declaring his opinion that it was impossible that the measure could be a fit one for the adoption of parliament during the present session; at least, if not for other reasons, for this most conclusive one—because the foundation and substance of the measure was a scale of duties varying according to the price of the article, while the circumstances of the country were such, that although it was not explained in the Bill whether the price referred to was that paid in gold or paper, the price in one of these currencies might be 80*s.* in the other 60*s.* If their lordships did not first apply a remedy to this most preponderant of all the evils which oppressed the country, it was impossible to fix any scale for the duties payable on imported corn. He was, moreover, convinced that it was not for the interest of any class of men, and most injurious to the interest of the country, to oppose any obstacle to the free importation of the chief article of the subsistence of its population. It was needless for him to say, that in thus freely delivering his opinion, he was not courting vulgar prejudice; or that because he differed from men, who well knew how much he esteemed them, on a question which had divided the most able practical statesmen, he had any wish of imputing to them an intention to support one class to the injury of others. He disclaimed any such intention for himself; he disclaimed any such imputation on others. Though such intention was far from the proposers of the measure, he thought its effect would be equally injurious; its present effect was to raise the price of corn; he did not believe its effect would be to render it lower in future, or more steady at any time. If the present evil was necessary, with a view to permanent future good, the House should look it steadily in the face; but to raise the price of corn was a measure which, of all others, their lordships would adopt most reluctantly, and never but after a most full enquiry, attended by an absolute certainty that such benefit would be produced in future as to out-balance the present evil. That the price would be at present raised appeared most clearly; for as price was regulated by the proportion of the demand to the supply, how could the price fail to be raised, if, while the demand remained the same, a great source of the supply was stopped? With such a certain evil before him, he distrusted a speculation which depended for the benefits of a measure on future years or centuries; and he the more distrusted it, because it was in opposition to known facts, and those generally acknowledged principles of commercial freedom, a contradiction of which should always be supported by a great weight of proof.—It was argued, that because there were many departures (he lamented there were so many) in our laws from the principles of commercial freedom, by the restrictions on foreign and the bounties on domestic manufactures, which he doubted not had been injurious to the commercial prosperity of the country by turning capital and industry into the channels least advantageous to the country, that the violation of this principle should be extended to the corn trade; but it would be a better course in the supporters of the principle gradually to abolish the violations of it than to extend them. His lordship then remarked, that the system of bounties which the Bill went to abolish, was a system for enabling the poor of other countries to eat their bread cheap at the expence of taxes levied on the people of this country, and concluded by saying, that the Bill before their lordships met with his most hearty concurrence, and that the other Bill, which he hoped would not come before the House this session, should, if it were brought before them, meet with his most decided opposition.

The Earl of *Lauderdale* did not mean to oppose the Bill, but he could not help making a few observations after what had fallen from his noble friend near him. He agreed in what his noble friend had said on the state of the circulation, and he hoped, that his noble friend would on some early day move for a committee to consider the subject, in order to enable them to form some permanent regulation as to the corn laws. He agreed, that in the present state of the circulation, no permanent regulation could be adopted; but he was convinced, that even in the present state of things, a regulation from year to year might be adopted. He also hoped that the noble earl who spoke first would move for a committee to consider the subject of the corn laws, that they might not be under the necessity of resting on the sort of evidence which was often sent up to them from the other House. He agreed with his noble friend in the general principle, that commerce ought to be free. This was a principle which might be safely and properly acted on with respect to corn and most other things, if the nation was not so loaded with taxes as it was now. But it was a totally distinct question what system was most proper for a people so taxed as the people of this country were; and in the present state of things his opinion was, that it would be impossible to permit a free importation without giving the foreign importer a decided advantage over the corn grower in this country. He agreed that price was regulated by the extent of the supply as compared with the demand: but his noble friend would concur with him when he said that there were two ways of diminishing price: one way by diminishing the demand, the other by increasing the supply. Why then, when encouragement was given to the corn growers of the country, the supply was raised and the price diminished; and the difference was merely this, that people would, with the restraint on importation, be supplied with corn raised in this country, while, in the other case, they would be supplied with corn from abroad. His lordship denied that the effect of the measure which had been proposed in another place would be to raise the price of corn. This system had been acted upon from the beginning of the reign of king William down to the year 1767; and so far was it from raising the price, that before 1797, the price of corn was 2*l.* 6*s.* 3*d.*; between that time and 1760, for a period of 30 years, the price was so low as 1*l.* 16*s.*; and such was the conviction at the time that corn would have fallen much lower, that the ministers of the church of Scotland (no bad judges of their own interests,) petitioned, between 1740 and 1750, to receive their augmentations in money instead of corn, as corn was likely to be much reduced in price. It was a general aspersion on landed proprietors, that the rise in the price of corn arose from the increase of rents; but this was quite unfounded, as the rents often continued to be paid at the same rate in money, while corn rose in value. In Scotland, where rents were supposed to be high, the highest rent paid for a farm was 8*l.* for the Scotch acre, which was one-fifth more than the English acre. This rent had been found, considering the reduced value of money, to be not so much as that paid between 1740 and 1750. The fact was, that at present, on account of the immense weight of the taxes, there was a duty on the exportation of British corn. Although the manufacturers were so clamorous against the Bill to lay duties on imported corn, yet if the restrictions on all commodities were removed, they would load the House with many more petitions against commercial freedom, than they now presented against a politic departure from that principle. To support the assertion which he had made on a former night, that manufacturing labour was cheap in proportion to the dearth of provisions, his lordship adduced the evidence taken on the subject of the Orders in Council, in which it was universally stated that manufactures had not suffered, even when corn was at 6*l.* 8*s.* the quarter. The labour, he observed, then became cheaper, because the manufacturers, instead of working 10 hours, were obliged, in order to provide for their families, to work 12 hours.

The Earl of *Liverpool* was desirous of saying a few words upon the Bill before the House: upon that which had been in fact postponed in another place till next session, he did not think it necessary to make any observations. In the principle of the Bill now before the House, that of free exportation of grain, he was entirely agreed, considering that principle as a return to that sound system of legislation which ought never to be departed from, except upon some special ground, demanding particular regulations. This opinion was wholly independent of the consideration of any other measure, with a view to the regulation of the importation of grain; but supposing importation to be allowed, it would be the height of injustice not to permit the exportation of the grain thus imported. A free exportation of grain might not, perhaps, produce any material practical benefit to one part of the United Kingdom, but on Ireland it was well known it would confer a most essential advantage. The Bill therefore, upon the ground he had mentioned, without reference to any other measure, should have his support.

After a few words from earl Stanhope, and from lord Grenville and the earl of Lauderdale, in explanation, the Bill was read a second time, and committed for Friday. The earl of Hardwicke gave notice for Friday of his intention to move for a Committee on the Corn Laws.

## HOUSE OF COMMONS.

*Tuesday, June 7.*

Galway Electors' Bill.] On the order of the day for the second reading of the Bill for removing doubts as to the provisions of an Act made in Ireland, in the 33d year of the reign of his present Majesty king George the 3d, intituled, "An Act for the relief of his Majesty's Popish or Roman Catholic subjects of Ireland," in relation to the town of Galway,

Mr. *Blake* proposed to withdraw the order for the second reading of the Bill, with a view to fix the motion for tomorrow.

Mr. *Daly* opposed the proposition, stating, that he should rather move the postponement of the second reading of the Bill to this day six months.

Mr. *Blake* then moved, that the Bill be now read a second time; and argued in favour of the measure, by referring to the grievance to which not only the Catholics but the Protestants of Galway were subject in consequence of the extraordinary privileges vested in the corporation of that town. Through these privileges the warden and corporation, who were appointed by external influence, granted the right of voting to a body of peasantry, subject to that influence, and this body, consisting of several hundred, were marched into Galway, conscript like, at each election, to vote according to orders—to exercise a privilege from which the resident Catholics of Galway, and many of the Protestant residents also, were wholly excluded. Thus was the genuine right of election perverted into a mere mockery of the Act of 1793, extending the privilege of voting to the Irish Catholics, rendered unavailing with respect to this important town.

Mr. *Daly* said that he would yield to no one in attachment to the interests of the Catholic body, but he could not support a measure which proposed a direct infraction of the chartered rights of Galway. The Catholics of Galway, who were not invested with the privilege of voting, had, in fact, no more right to complain than those Catholics of Dublin or Cork, or any other city or town who were not admitted to a participation of the privileges of the corporation, and he denied that the Act of 1793 ever proposed to interfere with the chartered rights of any place whatever. The hon. member concluded with moving an amendment, that the Bill be read a second time this day six months, which amendment was agreed to.

PETITIONS RESPECTING THE CORN LAWS.] Mr. Lambton presented a Petition against any change in the corn laws from the town of Sunderland, which was, he said, signed by 5,000 persons.

Sir *C. Burrell* took this occasion of stating, that very improper means had been used to obtain signatures to some of the petitions presented to the House upon this subject. In one instance, that of the town of Kelso, he was assured by the most respectable authority, that the signatures of children were actually annexed to the petition; nay, even French prisoners were resorted to in order to swell the list of the petitioners. Such, or similar impositions upon the House, ought, he felt, to be fully exposed.

The Petition was ordered to lie on the table.

PETITION FROM THE BRITISH MUSEUM FOR THE PURCHASE OF A COLLECTION OF ANTIQUITIES.] A Petition from the trustees of the British Museum was brought up and read, setting forth,

"That by the munificence of parliament a most valuable collection, consisting chiefly of ancient sculptured marbles, formed with great taste and judgment by the late Charles Towneley, esq., was purchased at the public expence, and placed under the care and management of the trustees of the British Museum, and that in addition to the said collection of ancient marbles formed by the said Charles Towneley, esq., there was also collected by him a very extensive series of smaller antiquities of great variety and beauty, and that Peregrine Edward Towneley, esq., the present proprietor of this collection of antiquities, has declared his willingness to add them to the above-mentioned collection of marbles upon fair and reasonable terms, and the petitioners conceive the acquisition of this collection would be attended with national advantages, and that they are desirous of making application to the House for a grant to enable them to purchase the said collection, but the time prescribed by the order of the House for presenting petitions has elapsed; and that the petitioners could not present their petition within the prescribed time, the proposal for the sale of the said collection not having been made to them, or the value of it ascertained, till within a very short period of the present time; and praying, that they may now have leave to present their petition for the purposes aforesaid."

Ordered to be referred to a Committee, with power to send for persons, papers and records.

PETITIONS RESPECTING THE OFFICE OF GAUGER OF THE PORT OF LONDON.] A Petition of several merchants and importers of and dealers in wines, spirits, oils, and other gaugeable liquors, was presented and read, setting forth,

"That the petitioners observe, by the votes of the House, that a select committee has been appointed, to enquire into the operation and effect of the several Acts for erecting docks, and otherwise improving the port of London, so far as relates to the gauging of wine and other gaugeable commodities imported into the said port; and that since the city gauger has been interrupted in the performance of the duties of his ancient office, being that of ascertaining by gauge the true contents of all vessels imported and brought to the port of London, containing wines, spirits, oils, and other gaugeable liquors, and the quantity of such liquors contained therein, great loss and inconvenience has been sustained by the petitioners; and that casks being overgauged, or, in other words, being marked as containing a larger quantity than they will in reality contain, occasions disputes between buyer and seller, and the petitioners, in sending out such casks to their correspondents in the country, who measure out the contents by retail, are consequently charged by them with an intention of fraud; and when such casks are exported to foreign countries, the petitioners are liable to the same charge, not only injurious to their reputation as individuals, but at the same time giving a stain to the national character, all of which inconveniences would, as the petitioners believe, be remedied by the exercise of the ancient office of city gauger upon all gaugeable vessels and liquors as heretofore practised; and praying, that the exercise of the said office by the city gauger, which has been of late interrupted at the quays, established in lieu of the former legal quays, may be declared to extend to all vessels containing gaugeable liquors imported and brought into the port of London wheresoever landed in the said port; and that the petitioners may be heard, by themselves, their counsel or agents, before the said committee in support of regulations which so materially affect them and the trade of the port of London, in respect to gaugeable commodities, and that they may have such relief as to the House shall seem meet."

A Petition of several merchants trading to the West India colonies, and importers of rum at the port of London, was also presented and read; setting forth,

"That a Petition of the court of mayor and aldermen of the city of London, hath lately been presented to the House, praying, that leave may be given to bring in a Bill to enable his Majesty to grant to the mayor, commonalty, and citizens of London the office of gauger at certain docks (made and erected under an Act of 39 Geo. 3, for rendering more commodious, and for better regulating, the port of London) called the West India docks, and at all legal quays and sufferance wharfs whereon gaugeable commodities might then or thereafter be lawfully landed within the port of London; and that the corporation of the city of London have admitted in their said petition that the said docks, amongst others, are situated out of the local limits of the said city and the liberties thereof, and that consequently they could not, under their ancient charter, legally claim to exercise their said office of gauger on gaugeable commodities there imported and landed; and that the petitioners are and always have been, since the erection of the said West India docks, perfectly satisfied with the gauging of rum as taken from time to time by the revenue officers and the officers employed by the West India dock company for that purpose; and that, inasmuch as the foreign spirit importers and buyers of rum have for several years past regularly employed a person (to whom every facility has been afforded by the court of directors of the West India dock company) to take the gauges of rum and other spirits on their behalf at the said docks, and to discharge all the duties theretofore performed by the city gauger, the petitioners humbly submit that the public have not, as is alleged in the said petition, suffered any loss or inconvenience whatever by the office of city gauger at the said docks having been abolished; and that the admission of the said city gauger within the premises of the West India dock company being solely for the purpose of producing emolument to the corporation of the city of London, would be attended with a considerable additional expence to the petitioners as importers of rum, and the appointment of any such officer would be found highly injurious to the interests of the petitioners, and be productive also of serious inconvenience and delay in their business; and praying, that they may be heard, by themselves their counsel or agents, against the said petition; and that the Bill prayed for by the said city may not pass into a law."

The said Petitions were ordered to be referred to the select committee appointed to enquire into the operation and effect of the several acts for erecting docks and otherwise improving the port of London, so far as relates to the gauging of wine and other gaugeable commodities imported into the said port; and the petitioners are to be heard, by themselves their counsel or agents, upon their petition, if they think fit.

Fees of Courts of Justice.] Sir *John Newport* began, by declaring his surprise to learn, that doubts were expressed by some persons as to the right of that House to make any inquiry respecting the fees received in the courts of justice: for such doubts could not possibly be entertained by any one acquainted with the records or the duties of parliament. In the 27th Report of the finance committee there was a distinct declaration of the right and duty of parliament to enquire into, in order to check great abuses, and to regulate the fees or charges made by the officers of the several courts, and the interposition of that House upon this subject in 1664 and 1693, was recorded on the Journals. Therefore he felt that he was following various precedents and performing his duty to the public, in moving this session for a return of the fees received by the several officers belonging to the different courts of Great Britain. The House had thought proper to adopt his motion, and among the returns made in pursuance of its order, he was concerned to say, because he must conceive it to proceed from error, that some of them were manifestly erroneous. For instance, the return from the clerk of the rules of the court of King's-bench stated, that there had been no additional fees in that department since the returns made in 1798, although from a bill of costs which he held in his hand, there had been a considerable augmentation. In 1798, the charge for a rule was only 2*s.* 6*d.* whereas it now amounted to 4*s.* and of this increase it appeared extraordinary, that when the legislature imposed a tax of one shilling, the clerk of the rules thought proper to add sixpence for his own profit. Thus an office, which, according to the report of 1798, yielded 2,900*l.* a year, had received an additional revenue of 830*l.* at the expence of the suitors for justice, and this, too, in an office that was saleable. The return also from the marshal of the court of King's-bench was equally erroneous, for to the fees which amounted in 1798 to 13*s.* 4*d.* no less than 7*s.* had been since added. Yet the return distinctly stated, that no change whatever had taken place, and this it was to be recollected was an office held by the son of the chief justice, and executed by deputy. The return from the clerk of Nisi Prius was also erroneous; for there, too, it was stated, that no change had taken place since 1798, although the fees which then amounted to 15*s.* had been since augmented to 22*s.* and this office too was held by a son of the chief justice. Upon such extraordinary returns from these offices, which were either saleable or held by the chief justice's own relatives, he (sir J. N.) did not think fit to make any comment. With respect to the court of Chancery, it was remarkable, he said, that no return whatever had, up to this hour, been made from that court. Then, as to the Irish courts, there had been no enquiry since the Union, although that measure rendered enquiry more necessary. For the House was not to learn that whenever abuse was likely to occur it was most to be apprehended in places remote from the seat of sovereignty, because there it was less exposed to observation. In referring to the proceedings of the several courts, in consequence of the order respecting fees, a fact had been communicated to him, which was of a very peculiar character indeed. The chief judge of one of these courts had ordered the officers connected with it not to make any return to that House until previously revised by him; and this judge, upon seeing a statement in one officer's return of a sum received for a search, had immediately expunged it, observing, that this sum was a gratuity and not a fee; to another officer also, this judge observed, that a fee which had been received for 20 years was truly a new fee, and, therefore, not within the view of the order of the House, which referred only to the augmentation of fees. These officers had in consequence made no returns, from a proper feeling of unwillingness to make any returns inconsistent with the sense and spirit of the order of the House. The right hon. baronet here took a review of the conduct of the Scotch courts, and observed that from the returns before the House it appeared that the lords of session had thought proper, of their own authority, to order a fee of 3*s.* to be exacted for every paper presented to their clerks, although the Act of 1810 contained a schedule of fees, with which schedule this order was quite inconsistent. This additional fee, which served to put about 3,000*l.* a year into the pockets of half a dozen clerks, and which in fact imposed a tax upon suitors, he thought an extraordinary assumption, upon which it would be for parliament to decide. Into these several points he did not, at this late period of the session, propose any specific enquiry, but he felt it necessary that the House should declare its opinion upon the subject. The right hon. baronet then moved a series of Resolutions declaratory of the various points urged in the course of his speech. Upon the first Resolution being read by the Speaker.

Mr. *Peel* rose and suggested to the right hon. baronet the propriety of postponing the discussion to some future period. From the short notice that had been given, it was impossible that the House could have anticipated the nature of the Resolutions, the first of which he decidedly condemned. He did not rise to oppose the motion, but only to put it to the right hon. baronet, whether, considering the thin state of the House, and the absence of the ministers of the crown, necessarily caused by the arrival of the illustrious personages who were expected, it would not be expedient to defer the consideration of the subject to some future occasion. The House, indeed, was hardly prepared to go into it, for of the various returns referred to by the right hon. baronet, only one, he believed, that relating to the court of King's-bench, was in the possession of members.

Mr. *Ponsonby* said he was glad to hear the hon. gentleman say he had no objection to the principle of the measure, because such motions as the present were of the utmost use to the public, by calling the attention of parliament from time to time to the various abuses that existed. He had no doubt his right hon. friend would willingly concur in the wish expressed by the hon. gentleman, for postponing the discussion at present.

Mr. *Peel* explained, and begged that he might not be be understood as giving any pledge to support the principle of the motion. He had merely stated that he did not object to the motion being discussed.

Sir J. Newport then withdrew his Resolutions, and fixed them for that day se'nnight.

APPRENTICE LAWS.] Mr. Serjeant *Onslow* moved the order of the day, for the House to resolve itself into a committee of the whole House to consider further of the Bill to repeal part of an Act passed in the 5th year of queen Elizabeth, intituled, "An Act containing divers orders for artificers, labourers, servants of husbandry, and apprentices."

Mr. *Lockhart* said that counsel were waiting to be heard at the bar in behalf of certain artificers and journeymen who had petitioned that House against any alteration of the law as it now stood.

Mr. Alderman *Atkins* wished that the discussion should be postponed to a future day, considering the great importance of the measure itself, and the very few members who were present.

Mr. Serj. *Onslow* objected to any delay. Sufficient notice had been given of the whole measure, and it had been deferred from day to day already, so often that he thought himself warranted in pressing the consideration of it now. With regard to the petitions that had been presented, very few of the persons signing them were really affected by the proposed alteration. He had looked into sixteen or seventeen of them, and found that to be the case with all of them. In one the wool-combers of Devonshire prayed that no repeal might take place, when, in fact, a repeal had actually taken place four years ago with respect to all the woollen manufacturers of England and Wales.

After a few words from general Gascoyne, who spoke in favour of going into the discussion, the House resolved itself into the Committee. Counsel was called in; when Mr. Alderman Atkins said that if the Committee persisted in hearing counsel on so important a measure, and with so small an attendance of members, he should feel it his duty to move that the Committee be counted.—A conversation ensued, in which sir F. Flood, Mr. Serj. Onslow, sir J. Newport, and Mr. Protheroe participated; when Mr. Alderman Atkins moved, that the Committee should be counted. It was accordingly done, and there being only 27 members present, the House adjourned of course.

## HOUSE OF LORDS.

*Wednesday, June* 8.

ROMAN CATHOLIC QUESTION.] The Earl of *Donoughmore* presented to the House the General Petition of the Catholics of Ireland, praying the removal of all existing disabilities; also similar Petitions from the Catholics of the city and county of Cork, the town of Carrick-on-Suir, the county of Tipperary, and the county of Roscommon.

The noble earl said, that it not being his intention to call their lordships to an early discussion, possibly not to any during the continuance of the present session, on the subject matter of the several petitions which it was his duty to present to the House, on the part of his Catholic countrymen, he should avail himself of that, the only opportunity which was likely to be afforded to him, for the purpose of stating on what principles it was, that he should refrain from pressing upon their lordships attention then, those concessions to the wishes and the interests of the Irish nation, of which he continued to feel, with increasing rather than diminished force, the wisdom, justice, and necessity. He must acknowledge, he said, in the first place, that respecting the suitableness of the present time for taking into consideration the Catholic claims, his sentiments did not originally coincide with those which had been felt and expressed, for a considerable time past, by the great majority of their parliamentary friends. Their own opinions had been, from the beginning, and still continued to be, anxious and earnest for an immediate discussion. Those of their parliamentary friends were, on the contrary, and had long been, equally decided against the prudence and expediency of bringing the question forward, during the present session, in any shape whatever.

In this opinion he was not enabled to bring himself to concur, because he was convinced that the situation of the question, at the end of the last session—the great events which had succeeded each other in so rapid a course—all the circumstances in short, coupled together, of these most extraordinary times, strongly recommended an early consideration of the subject, and with the most promising hope of a favourable result.

The triumph of arguments and of talent which was exhibited in favour of religious liberty, in the discussions of the last year; the great accession of character which had then been thrown into the scale of concession; the influence which all this must have had on the public mind; the recorded declaration, by 249 members in another place, that it was fitting to restore to their Catholic countrymen the first privilege of a citizen of a free state, the right of sitting in either House of Parliament; the solemn avowal of his Majesty's principal secretary of state (lord Castlereagh), that things could not remain as they were; the opportunities which must have been afforded to this able and efficient servant of the crown, during the course of his late important mission, and of which it must be presumed he did not fail to avail himself, feeling, as he is known to do, on the subject of the Catholic claims. When (continued the noble lord) did their relations with foreign powers ever stand at any former period on a basis so firm and so extended? When, by the energies and the perseverance, the valour and the resources of this country, her natural enemy and great rival in the scale of nations was restored to the blessings of legitimate government; when the sovereign of France had quitted the arms of British protection, the bosom of British hospitality, but to ascend the throne of his ancestors! when the same powerful assistance had not been less effectual, in placing again upon the chair of St. Peter, the venerable head of the Catholic church; and when, to sum up all those great facilities, thus created by the present posture of our relations with all other foreign states, the representative of the sovereign pontiff had himself cut the Gordian knot, and had demonstrated, beyond the possibility of doubt or cavil, how easy it would be, to convert into a powerful instrument in the hands of the state, that formidable phantom of papal power and papal supremacy, the solitary, the only remaining argument against the admission of the petitioners into all the privileges of the constitution.

Would it be wondered, that he should anxiously look for discussion under such circumstances as these, and with not unsanguine hopes as to the probable result?

Every reason, from without, thus seeming to suggest the present time as particularly favourable to the agitation of this question, what could have indisposed his own parliamentary friends and those of the Catholic cause, to the discussion of the question, under circumstances so very encouraging?

In answering that question, he was aware on what delicate ground he was about to tread; but it was necessary for him to discharge his duty by all in that place, with whatever reluctance and regret. The only answer he could give, conformably to the facts, was this—because they did conceive that the late proceedings of the Catholic board, the only accredited organ for the expression of the sentiments and the feelings of the Irish Catholic community, had tended to retard, rather than advance, their own interests and the success of their question.

The noble earl said, he would not enter into the particulars of that conduct, to which he felt himself compelled to allude. He wished he could say, in the language of sincerity, that the same feeling was not universal in this well judging country; he wished he could say in the language of truth, that the same feeling was not his own; and that the tone which that board had adopted for a considerable time past—with whatever great display of energy and of talent—had not tended to retard rather than to promote the accomplishment of their own measure, the success of the Catholic cause. But, however little prepared to doubt or deny that such is the actual state of the case, he was not disposed to pay to the members of either House of Parliament so bad a compliment, as to suppose them capable of renouncing a great public question, to the support of which they had been long committed on its own intrinsic merits, only because it had not been advocated by some of those who were nearly interested in its success, with all due prudence and discretion.

Feeling thus upon the subject, he thought it his duty to remove all such impediments as these entirely out of the way—and upon the whole he could not but avow, that his opinions had still remained favourable to the discussion of the subject; or rather, perhaps, that he did not feel that he had sufficient grounds on which to combat the wishes of the petitioners themselves on the management of their own question, so strongly, so unequivocally expressed.

Circumstances, however, of a very recent date, had caused him to see the subject then in a very different point of view; and had satisfied his mind, that the present moment had become particularly unfavourable for that discussion, for which the Catholics had been themselves pressing with so much earnestness—and, as the late rescript from the depository of the Papal power promised, at its first appearance, results so very encouraging, in the same proportion had the manner in which this document been received by such of the noble earl's Catholic countrymen, as had delivered their sentiments upon it, tended to disconcert and overthrow all immediate prospects of any satisfactory arrangement in the present temper of the public mind.

Instead of producing calmness and a disposition towards conciliation, this instrument appeared to have had the very opposite effect. His Catholic countrymen seemed to be at war with the representative of the spiritual authority of the sovereign pontiff himself: and upon no less important a subject than the discipline of their own church; and upon that branch of it too which had an immediate reference to that particular object which would undoubtedly form the most interesting and important topic in those discussions, which they were themselves so anxious to bring under the immediate consideration of parliament. If this state of warfare was never likely to have an end, the present would certainly be, under such a view of the subject, as good a time for bringing the matter into discussion as any other. But the resolutions of the Catholic prelates, at their very recent meeting, had offered a reasonable prospect of some accommodation of these differences of opinion, on topics of so very important a nature. Though it was scarcely to be expected that the result of their intended conference with the head of their church, could be known sufficiently soon, to afford a hope of their becoming the foundation of any parliamentary proceedings before the end of the present session.

What real friend to the success of these petitions—who, that was not prepared to encounter certain disappointment and defeat—with every prospect too, under the guidance of temper and discretion, of an early and satisfactory result, would precipitate the consideration of the Catholic question now, under such circumstances as these?

But, though the advocates of the petitioners had thought it their duty to abstain from any agitation of the subject now, the time being little suited, in their opinion, for its temperate discussion, ministers had not thought it expedient to adopt, on their part, the same reserve and forbearance. They had dispatched the question, so far as in them lay, without the trouble of much consideration, at a late party dinner, by a dashing toast, short, but so very significant as not to be misunderstood—"The Protestant Ascendancy."

The occasion of this meeting, serious—of no ordinary description—the celebration of the principles of their late political leader, by the disciples of Mr. Pitt's school, graced by the presence of the ministers of the crown, moving in a body, as we are informed by the printed reports of these proceedings; and renewing, as it were, the solemn profession of their faith, at the altar of him, their canonized saint.

But what did this "Protestant Ascendancy" of theirs mean—delivered, as it seemed to have been, with such an air of authority? In this country, it meant nothing—literally, 'vox et præterea nihil.'

a bad excuse for a bumper of wine. To an Irish ear it was the watch-word for dissention, there only to be understood by its correlative terms, the depression of our Catholic fellow-subjects, a needless insult to four-fifths of the population—an invitation to a community composed of materials inflammable enough, not to love, but to hate one another—and this anti-social ordinance pronounced with all the solemnity of an oracular precept, by the assembled ministers of the Prince Regent. And was not this recent declaration of the feelings of ministers, before a word had been uttered upon the merits of these petitions, an additional and decisive reason, against bringing the subject forward now, at a moment so unpromising and inauspicious?

The noble earl proceeded to observe, that having already called their lordships' attention to the late Rescript of the sub-prefect of the Propaganda, he could not withhold the expression of his sincere concern and surprise, at the tone in which these opinions, thus proceeding from the representative of the sovereign pontiff, had been received, by all descriptions of persons, amongst his Catholic countrymen, who had delivered any opinion on the subject, with the exception only of the very respectable prelates of that church. So harsh a treatment of such a document as this, could, in his view, only have proceeded from a perfect misconception of its obvious meaning and intention. To the understanding of the noble earl, the instrument in question could convey no other meaning than this,—that so far as the opposition of the Irish Catholics to the provisions of the late Bill, had proceeded on the supposed want of a previous knowledge of the sentiments thereupon of the spiritual head of their church, these difficulties were no longer to stand in the way—and to this the sub-prefect had subjoined, purely as a matter of advice and recommendation on his part, that, in his opinion, the Bill, and all its provisions, ought to be accepted *æquô gratôque animô*—but there was no injunction for its being so received, or received at all. In this construction, the noble earl said, he had the satisfaction of being supported by the late resolutions of the Irish Catholic prelates, who had conveyed these, their sentiments on the subject, by declaring, that this rescript was not mandatory; but they had abstained from entering into those warm animadversions, by which the resolutions of all other classes of men in Ireland, who had taken the subject into their consideration, was so strongly marked. Why, therefore, quarrel with this reverend Roman gentleman, so high in authority, in the Catholic church, only because he had delivered his sentiments upon a subject, on which he was certainly well entitled to form an opinion?

But with respect to the receiving *æquô gratôque animô*, or in any other way whatever, the Bill in question, encumbered with those provisions which had been so universally and so justly objected to, from one end of Ireland to the other, no man existing could be more strongly of opinion than the noble earl against the acceptance of such a Bill, which, he declared, he could view in no other light, than as a barter, for temporal advantages, of the independence of their church.

To the exemplary conduct of the ministers of that church he had, on former occasions, borne his strongest testimony; and it was the testimony of a man who had much connection with the individuals of that church, and abundant means for forming a correct opinion; a more conscientious or exemplary discharge of an important duty was not to be found in any other class or description of men—from the first dignitary of their church, to the humblest assistant of the parish priest. Nor were the voluntary donations from their flocks, an unsuitable reward for a laborious duty, zealously performed. The Catholic priesthood themselves asked no more—stipends, they were desirous of receiving none—excepting only from the hands of those to whom they were in the constant habit of communicating the consolation of their holy ministry! And where, asked the noble earl, is to be found, within the whole range of Catholic Ireland, an agency so powerful, for the promotion of subordination, and the suppression of crime, as amongst these unpaid servants of the crown—these unpensioned instruments, in the hands of the government of the state?

This being, then, according to his conscientious opinion, a true picture of the present state of the Catholic church in Ireland, what necessity was there, he would demand, for any new-fangled alteration of that machinery, of which there had been so long an experience, and which had still continued to work so well? The noble earl, therefore, deprecated the attempt at any interference, on the part of the government, in the appointment of the Catholic bishops, which could not possibly improve that institution, excellent in itself already—or any endeavour to prevail upon the ministers of that persuasion to accept stipends from the state, not only uncalled for on their part, but at which their minds revolted, and which could only tend to make them suspected by their flocks, and perhaps to slacken their exertions in the discharge of their laborious functions.

But, though he deprecated strongly such an interference as this, in the concerns of the Catholic church, it was not less his opinion, that some advances ought to be made towards conciliation by his Catholic countrymen—that the opportunities for such an amicable adjustment, were easy and obvious—and that, without such an adjustment, he saw no prospect of accomplishing the objects of the Catholics, and those of their parliamentary friends.

To what possible purpose then, continued the noble earl, did it, or could it tend, to vote a string of negative propositions—as had been the practice with the Catholic board for a considerable time past, as the basis, on which the Catholics were to treat with their Protestant brethren for their re-admission into the state?—Was it possible that they could expect to obtain the accomplishment of that for which they were contending, by claiming from parliament every thing which had been withheld, and declaring, at the same time, that there should be no advance, on their part, of any kind, towards adjustment or conciliation? Equally distant from that disposition which could lead to a satisfactory result, were the Catholics themselves, and those by whom their claims were resisted. Afford time for reflection, and it was impossible, that a sense of their mutual interests would not bring the parties in this irritated warfare nearer to each other. It was, therefore, on all these accounts, and in every view of the subject, his decided opinion—that there existed an indispensable necessity, that the Catholic question should, for a short time, rest upon its oars. It was from the present suspension of discussion that he had formed a strong and gratifying anticipation of future success. These cheering prospects could only be marred by precipitation and intemperate zeal.

Amongst the other arguments for postponing the consideration of the question, the noble earl said, that he had intended to have urged the opportunity which would have been thus afforded to the conciliatory government—as the noble earl had understood it to be—of the present lord lieutenant of Ireland, to have its due effect on the frame and temper of the public mind. But, since the noble earl had come into that House, a document had been put into his hand, by a noble friend of his, which he had perused with equal astonishment and concern. The proclamation of the lord lieutenant and privy council, against the further assembling of the Catholic Board.* To enter into any

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* The following Proclamation, by the lord lieutenant and council of Ireland, dissolving the Catholic Board, was issued on the 3d of June.

"Whitworth.

"Whereas an assembly, under the denomination of the Catholic Board, has, for a considerable time, existed in this part of the United Kingdom, under pretence of preparing petitions to parliament, on behalf of the Roman Catholics of Ireland:

"And whereas, under the provisions of an Act made in the parliament of Ireland, in the 33d year of his present Majesty, intituled, "An Act to prevent the election or appointment of unlawful assemblies, under the pretence of preparing public petitions or other addresses to his Majesty or the parliament," the said assembly is an unlawful assembly:

"And whereas great artifice has been employed, in order to persuade the public generally, and his Majesty's Roman Catholic subjects in Ireland in particular, that such an assembly is lawful and necessary to the exercise of the right of petitioning:

"And whereas the law hath hitherto not been enforced against the said assembly, in the expectation that those who had been misled by said artifice would become sensible of their error, and in the hope that the said assembly would be discontinued without the necessity of legal interposition:

"Now, we, the lord lieutenant, by and with the advice and consent of his Majesty's privy council, being satisfied that the permanence or the further continuance of the said assembly can only tend to serve the ends of factious and seditious persons, and to the violation of the public peace, do hereby strictly caution and forewarn all such of his Majesty's subjects as are members of the said assembly, that they discussion upon the merits of that document, at the present moment, would be, in the highest degree, improper and disorderly. He would, therefore, refrain from making use of that argument, of the benefit of which the proclamation, to which he had alluded, had deprived him: and would conclude by repeating the sincere regret that he felt at so strong and extraordinary an exertion of authority on the part of the Irish government.

Before he sat down, the noble earl expressed the reluctance which he had felt in trespassing so long upon their lordships' indulgence; but he owed it, as he conceived, to the petitioners as an indispensable duty, to communicate to them, from his place in that House, the grounds on which he had formed his decision upon a subject which interested them so nearly, and which unfortunately did not accord with their own declared sentiments and wishes.

The Earl of *Longford* rose, and said he should not have thought of troubling their lordships on the present occasion, were it not from something which fell from the noble earl on a particular point. He alluded to what he said respecting the Protestant ascendancy, and the way in which he characterised its meaning. He, however, felt himself warranted in saying, that the noble earl was decidedly under a mistake. He could tell the noble lord, that in Ireland the term Protestant Ascendancy implied nothing of a hostile disposition on the part of the members of the established church, against the Catholics or any other party in that country. But it imported the desire of the former to preserve their own church, their own religion and establishments. This he thought was perfectly justifiable, particularly at such a moment as the present. The Protestant ascendancy had in view the maintenance of the established constitution, the real welfare of the country, and it was deemed by its supporters as essential to the connection of Ireland with this part of the united kingdom.

The Duke of *Norfolk* said, that in every state and every government, which was founded on the basis of civil liberty, it was the right of the subject, who had given his allegiance to that state, to worship his Maker as he pleased. Before he entered the House, he was of opinion, that the present was a time favourable for the discussion of the question, and the many causes, which the noble earl had assigned, tended to strengthen that opinion. With respect to the conduct pursued by the Catholic board, it should be remembered, that the Irish Roman Catholics were a description of persons who had been long deprived of very important rights. In those legislative discussions, which most nearly interested them, they had no voice, since they had been deprived of their seats in parliament for a century—they were scarcely allowed to offer their opinions at a parish meeting—and they were debarred from exercising any municipal authority, in the most insignificant town. That persons, thus situated, should not have conducted themselves with strict regularity in their meetings, was not surprising—but he hoped the observation of the noble earl, on this subject, when it came to their ears, would have a proper effect upon them. To restore the Roman Catholics to those rights, of which, he conceived, they were unfairly deprived, he never could consider as a favour. He was very sorry that any circumstance should intervene to render the prosecution of those sacred rights inexpedient at that moment. Were he to follow the impulse of his own mind, he would press forward the object of those petitions immediately. He would call for a committee to enquire into the subject, and to recommend such proceedings, as were best calculated to afford relief to the petitioners. But, understanding that he should not have the concurrence of his noble friends, and that he should also be acting contrary to the opinion of a gentleman of considerable weight, in the other House of Parliament (Mr. Grattan) from whose splendid talents Ireland had often received benefits, and would he was convinced, yet derive more, if he followed his own private opinion, he would agree to the course alluded to by the noble earl.

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do henceforward abstain from any farther attendance at or in the said assembly; and do hereby give notice, that if, in defiance of this our Proclamation, the said assembly shall again meet after the date hereof, the said assembly, and all persons acting as members of the same, shall be proceeded against according to law.——Given at the Council chamber in Dublin, this 3d day of June, 1814.—C. Manners, Charles Cashel, Drogheda, Westmeath, Mayo, Erne, Charles Kildare, Castlecoote, Frankfort, J. M'Mahon, G. Hewett, G. Knox, J. Ormsby Vandeleur, William Saurin, S. Hamilton.—God save the King."

The Earl of *Donoughmore*, in answer to the observation of the earl of Longford, said, he had merely stated his disapprobation of the toast. He had said, and he would say it again, that in England the words Protestant ascendancy signified nothing; but that in Ireland they were calculated to give offence to a great body of the people.

The Earl of *Longford* conceived, that when the noble lord made this statement, he was acting under a wrong impression. In what he had said, he certainly meant not to offend the noble earl.

Earl *Grey* said, he did not know that the private opinions of those who advocated the cause of the Catholics were a fit subject for discussion; but if his opinion were asked, although not going the length of his noble friend, that the Catholics had an indefeasible right to the privileges they claimed, but still thinking that those claims were founded in justice and policy, and feeling if they were pressed, founded as they were in immutable justice, that no time was improper, strictly speaking, for their consideration, and that therefore he must give them his support; still, if his opinion were asked, he would not hesitate to say, that to press them during the present session would be unwise and inexpedient. With respect to the Catholic board, he certainly did not approve of some of their proceedings; but in looking to this subject, every allowance ought to be made for men who had suffered the mortifications of repeated disappointment in their hopes; and lenity and indulgence should be shewn to men thus suffering under extreme privations, and continually disappointed in their expectations of emancipating themselves from their galling pressure. Unwise and inexpedient, however, as he thought the agitation of the question of the Catholic claims would be at the present moment, he was decidedly of opinion, that religious liberty ought to rest on the same foundation as civil liberty; and that no man ought to be subject to disabilities on account of his religious opinions, unless it was absolutely necessary for the general safety; and undoubtedly the proof rested upon those who opposed the claims to be relieved from such disabilities, to shew that their continuance was actually requisite for the public welfare. It was in this view of the question, founded upon the justice of the claims of the Catholics, and the inability of those who opposed them to show that the continuance of the disabilities under which they suffered was necessary to the public safety, that he had uniformly supported the question of Catholic emancipation, as it was called, and should again support those claims whenever they were brought forward.

Earl *Stanhope*, conceiving that the petitions should lie on the table, was anxious to state the grounds on which he founded his opinion. His lordship then adverted to the proclamation of the lord lieutenant and privy council of Ireland, for putting down the Catholic board, and read that part of it which recites, that the board assembled, under the pretence of preparing petitions to be presented to parliament; and that, by the 33d of the king, the said assembly, meeting under such pretences, was an unlawful assembly. His lordship then read an extract from the 33d of his Majesty, which designated as unlawful assemblies, meetings of persons representing, or assuming to represent, the people of this realm, or any part thereof, under pretence of petitioning, or obtaining an alteration in matters relating to church and state, already by law established. The noble earl then contended, that this Act did not apply to the Catholic board, who met for *bonâ fide* purposes, and not under a pretence. He wished to state this, because he would not have it be supposed, that he would vote for a petition to lie on the table, which came from a body who could fairly be considered an illegal assembly.

Viscount *Sidmouth* said, it was only necessary to remark, in answer to the noble earl, that the proclamation was signed by the lord chancellor and the attorney general of Ireland.

Earl *Stanhope*. My lords, I don't care for lord chancellors, or attorney generals.

Lord *Holland* observed, that it was a very extraordinary answer given by the noble viscount to his noble friend. His noble friend, whose acuteness of mind their lordships well knew, had pointed out what he considered to be the illegality of the proclamation of the lord lieutenant, and the noble viscount, in answer, had contented himself with saying, that the lord chancellor of Ireland and other lawyers had signed the proclamation. Was this a sufficient answer? Had not a proclamation on a former occasion been signed in a similar manner? and was it not of such a nature that no lord chancellor here could be found to advocate it? He, however, did not mean to give any opinion upon the subject, having had no opportunity of making up his mind as to the legality or illegality of the measure.

Viscount *Sidmouth* said, he did not mean to prevent any noble lord or other person from delivering his opinion upon the proclamation. All he intended was, though acknowledging the acuteness of mind of the noble earl, yet that noble earl had delivered merely the result of his own judgment on the construction of the act of parliament, and that with all deference to the noble earl, the two highest law officers of Ireland were more likely to be right upon a point of law.

Earl *Stanhope* contended that he had referred to a higher authority than either of the law officers mentioned by the noble viscount, namely, the act of parliament itself.

The Petition, together with the other petitions presented by the earl of Donoughmore, were ordered to lie on the table.

## HOUSE OF COMMONS.

*Wednesday, June 8.*

PETITION OF DISTILLERS IN SCOTLAND, WORKING FOR EXPORTATION TO ENGLAND.] A Petition of James Haig of Lochrin, and James Stein of Kilbagie, distillers, in Scotland, working for exportation from thence to England, was presented and read; setting forth,

"That it appears, from various Acts of parliament of the United Kingdom, that doubts have arisen whether the regulations under which the drawbacks and countervailing duties paid or payable on spirits the manufacture of Great Britain and Ireland, imported from either country into the other, do not operate as a bounty on the exportation of spirits from Great Britain to Ireland, and as a duty on the exportation of spirits from Ireland to Scotland, contrary to the 6th article of Union, and it has consequently been found expedient to suspend the exportation of Irish-made spirits into Great Britain, and of British-made spirits into Ireland, until proper provision can be made for regulating the intercourse between Great Britain and Ireland in relation to spirits the manufacture of either country; and that this subject is not only of great importance to the interests of the distillers, but also involves very seriously the interests of the landholder and farmer, as well as of the public revenue, all which combine to press it on the early but deliberate consideration of the House; and that, in 1809, a select committee was appointed to enquire into the regulations which govern the drawbacks and countervailing duties on the importation and exportation of spirits, the manufacture of Great Britain or Ireland, from one country to the other respectively, and also what alterations it may be expedient to make in respect of the same, in order to place the intercourse between England and Ireland and Scotland and Ireland respectively, in the article of spirits, upon those terms of reciprocity which are required under the articles of Union; and that the committee, after long and diligent enquiries, at last produced a voluminous report, (ordered to be printed May 30, 1809,) in which, among other things, it appeared to be their opinion that, the better to ascertain the countervailing duty on spirits imported to or exported from Ireland, the internal duty on spirits made in Ireland should be regulated, as in England and Scotland, by some determinate strength, which in Ireland has not hitherto been done; and the said committee further resolved it to be advisable, and for the advantage of the revenue and interest of the fair trader, that no spirits should be exported from Great Britain to Ireland, or from Ireland to Great Britain, which shall not have been made solely for such export in distilleries not working for home consumption at the same time; which resolution the petitioners humbly hope will, from justice and expediency, be carried into effect; and that, subsequently to the date of that report, sundry changes have been made, as well in the rates of duty as in the internal regulations which govern the trade of distilling, whereby the relative situation of the two countries is materially altered, and which, in any arrangement that may now be intended, it will be necessary to countervail, and otherwise to provide for; and that, accordingly, on the 6th of April 1814, another select committee was appointed by the House to enquire *de novo* into the regulations which govern the drawbacks and countervailing duties on the importation and exportation of spirits the manufacture of Great Britain or Ireland, from one country to the other respectively, and also what alterations it may be expedient to make in respect of the same, in order to place the intercourse between England and Ireland and Scotland and Ireland respectively, in the article of spirits, upon those terms of reciprocity which are required under the articles of Union between Great Britain and Ireland, and that they do report their observations and opinions thereupon, from time to time, to the House, with power to send for persons, papers and records; and that the said committee have had various meetings, but, as the petitioners are informed, have examined no witnesses or papers, nor have hitherto reported any resolution thereon; and that, in the mean time, it is necessary for the protection of the interests of the petitioners, hitherto provided for by the faith of parliament, that the legislative enactment now in force, and which, if not renewed, will expire on the 1st of July next, be further continued, for a time to be limited; and also that no Bill contrary to the report of the committee in 1809 shall be passed, except upon the further examination of witnesses, and upon an enquiry made into the matters above stated, which evidence the petitioners are ready to supply to the House or to the committee, to whose examination the subject at present stands submitted; and praying the House to consider the case of the petitioners, and to allow them to be heard, by their counsel and witnesses, on the matters above stated, and thereupon to make such provision as in the wisdom of the House shall seem meet, or, if it should be necessary, in order to give sufficient time for such enquiry, that the House may be pleased to pass a Bill to continue, for a further time to be limited, the law at present in force."

PETITION OF THE DISTILLERS OF LIVERPOOL.] A Petition of Robert Greenham, jun., and George Marsden of Liverpool, distillers, was also presented and read; setting forth,

"That in the year 1809, a committee of the House was appointed to enquire into the regulations which govern the drawbacks and countervailing duties on the importation and exportation of spirits, the manufacture of Great Britain or Ireland, from one country to the other, respectively, and also what alterations it may be expedient to make in respect of the same, in order to place the intercourse between England and Ireland, and Scotland and Ireland, respectively, upon those terms of reciprocity which are required under the articles of Union between Great Britain and Ireland; and that the said committee did proceed to the examination of evidence, and did report to the House certain resolutions founded thereon, which the petitioners have been led to believe would form the basis of any legislative arrangements to be adopted on the subject; and that no such arrangements have as yet been made, but the intercourse, in the article of spirits, between the two countries, has been and is now suspended by temporary Acts of parliament, the last of which will expire on the 1st of July next; and that, on the 6th of April last, another committee of the House was appointed for the same object as that of 1809, and the petitioners are informed that the said committee has been prevented from proceeding to the accomplishment of its purpose; and that, since the year 1809, several regulations have been introduced into the distillery laws of Ireland, and the duties on malt and on spirits have been increased; and that the petitioners are informed, that it is the intention of his Majesty's government to propose a temporary measure, the effect of which will be to allow the intercourse, but will leave the drawbacks and countervailing duties on spirits exported or imported from or to either country, for future adjustment; and that the petitioners humbly conceive it will be highly injurious to the public revenue, and ruinous to the British distiller, to permit the intercourse of spirits between Great Britain and Ireland previously to the complete adjustment of the said drawbacks and duties producing the reciprocity required by the Act of Union; and praying that an arrangement may be made, founded on the resolutions adopted by the Committee of the House in 1809, and on such further evidence as may have become desirable, arising out of regulations established since that time, or that the suspension of intercourse in spirits between Great Britain and Ireland may be further continued."

PETITION OF DISTILLERS IN LOWLANDS OF SCOTLAND.] A Petition of several distillers in the Lowlands of Scotland, was also presented and read; setting forth,

"That the Act to suspend the importation of British or Irish made spirits into Great Britain or Ireland, respectively, will expire on the 1st day of July 1814; and that the consideration of the laws regulating the intercourse of spirits between Great Britain and Ireland, respectively, has, during the present session of parliament, been referred to a Committee of the House; and that the Committee so appointed have hitherto, as the petitioners understand, made no progress in the consideration of the subject referred to them, and (supposing any change of the existing laws should be deemed requisite), as it will now be impossible to accomplish the investigation necessary to the settling interests so important to the respective countries before the expiry of the present law, the petitioners pray, that if it shall be deemed expedient to continue farther the non-intercourse law, as it at present stands, that no Bill may be passed which will affect the interests of the petitioners, as secured to them by the Articles of Union."

The said Petitions were ordered to be referred to the said Committee appointed in the present session of parliament; and the first mentioned Petitioners are to be heard, by their counsel or agents, upon their petition, if they think fit.

HACKNEY POOR BILL.] Mr. Mellish moved the third reading of the above Bill.

Mr. *Horner* said it was impossible for the House to allow such a Bill to pass. The object of it was to make the landlord liable to poors' rates, instead of the tenant, and it was enough to state that, in order, as he conceived, to secure its rejection, unless some peculiarly strong case could be made out with respect to the parish of Hackney. The Bill, indeed, was not unexampled, because there were two or three parishes who had obtained similar acts in their favour, from the inadvertency of the legislature; but they were most unjust, and ought to be repealed, in order to put all parishes upon an equal footing. Conceiving the present Bill to be highly objectionable, he should move that it be read a second time that day six months.

Mr. Alderman *C. Smith* supported the Bill.

Sir *E. Brydges* thought that no special case had been made out to justify so dangerous an innovation on the general law, as this Bill went to make. He would therefore vote for the amendment.

Mr. *Shaw* cordially approved of the Bill, in consequence of several circumstances that had come to his knowledge; and because he wished to see the parish of Hackney placed in a similar situation with some of the contiguous ones. A great proportion of the houses in Hackney were of low rents, which did not subject the tenants to the assessment of poor rates; but as the landlords enjoyed the profits, he thought they ought to bear the proportion of the taxes.

Sir *S. Romilly* thought the Bill highly objectionable, and the arguments used in support of it equally so. They were to pass this Bill into a law, because the next adjoining parish had a similar law. Upon that principle all the contiguous parishes which had not such a law might apply for it next session, and so on throughout the whole kingdom. But was that the way they ought to legislate for the country? If the laws that had been passed in favour of certain parishes were obnoxious, let them repeal those laws. There was another clause in the Bill to which he strongly objected, empowering the trustees of the poor to punish them in any way they thought fit, with the consent of the justices at the quarter sessions. This was in direct contradiction to the law of the land, and contrary to specific resolutions to which the House had come in the course of the present session upon the subject.

Mr. *Marryat* approved of the Bill.

Mr. *J. P. Grant* had expressed his approbation of the Bill in the committee upon it, and had heard nothing since to make him alter his opinion.

Mr. *Western* was against the Bill.

Mr. *Byng* contended that the parish of Hackney was not entitled to the indulgence now claimed; and he knew, if it should be granted, that it was the intention of the adjoining parishes of Tottenham, Edmonton, and Newington, to apply for a similar one next session. He should, therefore, oppose the Bill.

Sir *James Graham* stated, that there were upwards of 1,000 houses in the parish of Hackney, which did not contribute one shilling to the poors' rates, and that within the last two years 295 such houses had been built. He did not mean to say that their object was to evade the assessments, but he thought it looked rather suspicious.

After some further conversation between Mr. Courtenay, Mr. Preston, Mr. P. Moore, and Mr. Mellish, who stated his willingness to withdraw the clause respecting the punishment of the poor, the House divided, when the numbers were, For the third reading 39; against it 52.— The Bill was consequently lost.

CATHOLIC BOARD.] Sir *J. C. Hippisley* observed, that some time since he had very fully expressed his sentiments in the

House respecting the unwarrantable proceedings of the Catholic board assembled in Dublin, and though he had ever been a friend to public investigation when legitimately exercised, he could not but condemn much of the conduct and measures of that board, as tending to great eventual mischief. With this impression upon his mind, he felt it to be his duty, as a member of parliament, as well as from his private feelings on the subject, to ask the right hon. Secretary for Ireland, whether the proclamation which he had heard was issued on the 3d of June, for the suppression of the board, was authentic? If he was answered in the affirmative, he should beg permission of the House to give notice of a motion.

Mr. *Peel* was happy to be now able to answer any question on this subject without that reserve which he had found it necessary to observe on the two occasions alluded to by the right hon. baronet. On the 3d of June, the lord lieutenant and council of Ireland issued a proclamation, prohibiting the assembling of those persons who had assumed the title of the Catholic board. It was matter of regret to him to have been obliged to answer the question of an hon. member, relating to this board, with so much reserve as he had done; but at the time that the question was put he could not have done otherwise, consistently with his duty. He had not the slightest objection to have the document produced, and would therefore willingly agree to the motion which the right hon. baronet had said he would make for that purpose.

Sir *J. C. Hippisley* then said, that as the right hon. Secretary had admitted the proclamation to be authentic, he thought it his duty to declare his unqualified approbation of the temper and firmness which the executive government of Ireland had manifested on that important occasion; and as it was an object to give the most extended publicity to the act, he should move, "That an humble Address be presented to his royal highness the Prince Regent, That he will be graciously pleased to give directions, that there be laid before this House a copy of the proclamation by the lord lieutenant and privy council of Ireland, for the suppression of an assembly under the denomination of the Catholic board, dated 3d June 1814."

Mr. *Knox* seconded the motion. He said that though he had not thought the answer of the right hon. gentleman to the question, he had put respecting this board, by any means satisfactory, yet he was now quite satisfied with the explanation of the right hon. gentleman. As to the inexpediency of putting down that most unconstitutional and dangerous assembly, he was convinced that there would be more who would complain that it had not been done long ago, than that it was done now. One good reason for the delay which had taken place might be, that those persons could not now cloak their proceedings under the pretence of assembling to frame petitions, as owing to the late happy events, this pretext was fortunately removed. The object of that meeting had, latterly, completely developed itself, by shewing that it assembled, not to aid the just cause of the Catholics, but to sow dissentions and provoke irreconcilable enmities.

Mr. *Peel* had only to say, that he felt perfectly confident that when the subject was examined, it would be found that the motives by which the conduct of the Irish government had been guided in this matter, could be very satisfactorily explained. The lower orders, and a great proportion of the population in Ireland, had been misled by the professions of the Catholic board, and were not aware of the mischievous tendency of their proceedings. The mode in which the proceedings of this assembly had been conducted; the absurd, ludicrous, pitiful discussions that took place in it; the abandonment of the instructions of those who were at the head of the Catholic religion; the pompous titles which they had assumed—had now alienated the affections of those who had once been their supporters, and had shewn them to be the real enemies of the cause of which they had wished to appear the promoters. They had also, he trusted, deprived themselves of that public sympathy and public regret, which sometimes attended the execution of the laws, and the punishment inflicted upon such persons.

The motion was agreed to.

PETITIONS COMPLAINING OF THE SOCIETIES OF ORANGE MEN IN IRELAND.] Sir *Henry Parnell* rose and said:—Mr. Speaker, I hold in my hand ten petitions, signed by very numerous and respectable bodies of the inhabitants of the North of Ireland, both Protestants and Catholics, complaining that the public peace is kept in a state of continual disturbance, by the existence and conduct of certain Orange Societies. The petitioners form no political party, but apply to the House as belonging to the primary relations of life, as husbands, fathers, and brothers, entitled to the protection of the state, and to have the public peace preserved by the impartial administration of the laws, against an association which renders the North of Ireland less civilized, and less secure than the savannahs of the savage Americans. The petitioners state, and do so with perfect accuracy, that this association is illegal, that is in respect to that class of Orange-men, who are embodied by a secret oath. The Act of the 50th of the King, c. 102, rendering all associations in Ireland illegal, which are organized by a secret oath. They say that the House of Commons having declared the existence of the Orange Societies in England illegal, and that it was the duty of the executive government to repress them by enforcing the law; they have an equal right to the same declaration against the same association in Ireland, and the same enforcement of the law by the Irish executive government. At present it is not my intention to say any thing that shall provoke any debate, or to found any motion on these petitions. The subject of the existence of this illegal association is now brought fully before the House; and it is obligatory on the executive government of Ireland to carry into effect the declared sentiments of the House on the nature of this association, though not directly applied to Ireland. If, however, the government of Ireland should not interpose and fairly administer the law; and if the same system of outrage and disturbance should disgrace the North of Ireland, as prevailed there last July, I shall certainly bring forward a motion early in the next session of parliament, of censure of the executive government. Part of the prayer of the petitioners is to have all illegal associations suppressed. We have just now heard the government have suppressed the Catholic board as being in their opinion an illegal association. Their conduct, on this subject, therefore becomes peculiarly deserving of being closely watched; for if they shall confine their exertions to this single attempt to preserve peace in Ireland, and suffer the Orange Associations to exist in direct violation of an unquestionable enactment of the law, their conduct will be in every respect unjust and partial.

Sir Henry then presented ten Petitions of Protestants and Catholics of Ireland, the friends of civil and religious liberty and of internal peace and concord, in the neighbourhoods of Ballibay and Keady; of Belfast; of Dungannon and Armagh; of Killileagh; of Larne and Whitehouse; of Lisburn; of Moira and Magheralin, in the county of Down; the parish of Segoe, in the county of Armagh; and of the town and parish of Newry; setting forth,

"That the petitioners have long lamented the distracted state of Ireland, in which a faction, calling themselves Orange-men, bound together by a secret, and, as the petitioners conceive, an illegal oath, have disturbed the peace by their riotous and tumultuous proceedings; they arrogate large claims for loyalty, of which they boast exclusive possession, but their conduct proves that many of them only make a show of it for interested purposes; to be truly loyal is to be strictly obedient to the laws; and that their processions, decked with party insignia, and frequently with military arms, on certain stated anniversaries, produce much irritation in the minds of those against whom the insulting show is chiefly directed, and more especially as they carefully exclude all Catholics from their lodges; that these processions have a powerful effect in keeping up a spirit of animosity among neighbours, and perpetuating an organized system of hostility towards all who will not join with them: that they not only, in their direct consequences, have led to tumults, riots, and murders, but also, by their raising a spirit of opposition to their proceedings, other antagonist societies have arisen, by which the peace of the country is farther endangered, and thus such irritating proceedings appear not remotely to portend the horrors of civil war, unless timely exertions are made to repress the meetings and processions of Orange-men; and that the petitioners, emboldened by the discussions which took place in parliament near the close of last session, on the illegality of establishing Orange Societies in England, beg, in the most fervent and earnest manner, that Ireland may be equally placed with Great Britain on a similar footing of security, by the suppression of all illegal societies; and that, in their present anxiety of mind, the petitioners utterly disclaim any appellation of political party, and recognizing only the primary relations of life, call with loud and urgent voice, as fathers of families, as husbands, sons, and brothers, upon parliament, imploring its immediate and effectual interposition for the salvation of the people, by preventing a repetition of such monstrous outrages; they call upon the constituted authorities of the empire to maintain peace and good order in the land, and invoke the sacred responsibility of legislation to take timely measures of guarding the state and securing the supreme authority from such dangerous associations as make allegiance conditional, on principles unknown to the British constitution."

Ordered to lie upon the table.

## HOUSE OF LORDS.

*Thursday, June 9.*

APPEAL CAUSE—ANDREWS *v.* MURDOCH.] In the appeal from the court of session in Scotland, Andrews v. Murdoch, the Lord Chancellor delivered his opinion that it would be proper to remit the case to the court below.

Lord *Holland* agreed with the opinion of the Lord Chancellor. His lordship remarked that there had been circulated two volumes of considerable magnitude, which contained an account of the proceeding of the court of session in this case. These reports were not to be taken as authorised accounts of the proceedings of that court, although a great part of the law of the country was founded on such reports: and in this case they were entitled to credit as they were taken by lawyers appointed by the faculty of advocates. Notwithstanding the title to credit, he hoped, for the honour of the Scotch judges, they were not authentic. Far from construing the law in favour of the liberty of the subject, as the noble lord on the woolsack had justly declared, they seemed, according to this report, to have availed themselves of every twig to strangle that liberty. One of these judges was reported to have said that the Act of 1702, which was justly considered as the Habeas Corpus of Scotland, was a mass of nonsense, and that he had always decided according to natural right and justice, which were prior to all acts of parliament. He did not intend to institute any parliamentary proceeding on the subject, but if such a declaration were made by a judge on the bench in this country, twenty four hours would not be suffered to pass before it was inquired whether such an avowed violation of the law had taken place.

## HOUSE OF COMMONS.

*Thursday, June 9.*

FOREIGN TROOPS.] Mr. *Whitbread* said, that he understood some Russian troops had been, or were about to be landed in England. He wished to know whether ministers intended, as was usual, to make a communication to parliament on the subject.

The *Chancellor of the Exchequer* replied, that no part of the troops had yet landed, but that as soon as any portion was on shore, the communication required would certainly be made.

Mr. *Whitbread* had heard that the advanced guard had already landed.

Mr. *Wynn* remarked that a new Mutiny Bill would be necessary to prevent disorders occasioned by these foreign troops.

The *Chancellor of the Exchequer* was not aware that any previous measures had on other occasions been adopted.

Mr. *Whitbread* understood that 8 or 10,000 men were to be landed.

Mr. *Ponsonby* thought that the most constitutional mode of proceeding would be to inform parliament before the troops were landed. Parliament ought to know the intention of ministers upon the subject.

APPRENTICE LAWS.] The House went into a committee on the Apprentice Laws Amendment Bill, when counsel were called in and heard at the bar. After the counsel withdrew, Mr. Serjeant Onslow moved some clauses as amendments.

Sir *Frederic Flood* rose to speak against the Bill. He was proceeding to object to the repeal of a law which had been established in the wise reign of queen Elizabeth, and had been the cause of all our improvements in commerce and manufactures since—when he was called to order by serjeant Onslow, for entering into the principle of the Bill in an improper stage. Sir Frederic said it was not his intention to speak to the principle of the Bill, but to the particular paragraph. Mr. Wrottesley observed that this was impossible, as no paragraph had been read. Sir Frederic then proceeded in his argument, which consisted of the usual objections to the Bill, and remarked that he did not take up the question as member for a county in Ireland, but as the representative of the imperial parliament.

Sir *Charles Burrell* did not agree with the last speaker. He insisted on the many mischiefs produced by the law in its present state, in keeping thousands of people out of employ.

Mr. *Thomson* wished that the hon. baronet (sir F. Flood) had lived in the reign of queen Elizabeth, which he so much admired. He might then have vied with a celebrated baronet and orator of that time, (sir Walter Raleigh), who said he had seen that princess make war like Alexander, hunt like Diana, and walk like Venus. With respect to the advantages ascribed to the law of apprenticeship, the fact was, that not one trade in three was subject to it, and that those had improved most, which were not.

Mr. *Lockhart* proposed a variety of additional clauses, enforcing attendance upon divine service, by apprentices, &c.

Mr. *Wrottesley* suggested whether it was not better to let the Bill pass *pro forma*, and defer the discussion of the clauses to some future stage?

Mr. *Philips* expressed a similar opinion, and hoped the hon. member would consent either to withdraw his clauses, or put them into another Bill.

After some further conversation between Mr. Lockhart, Mr. Serjeant Onslow, Mr. Thomson, and sir Frederic Flood, the clauses were withdrawn. The House then resumed, and the report was ordered to be received on Tuesday.

PRINCESS OF WALES.] Mr. *Methuen* rose and said, that not perceiving any intention to ameliorate the condition of her royal highness the Princess of Wales, he should, unless any thing occurred in the interval, move, on Tuesday next, that her Royal Highness's Letter be taken into consideration.

## HOUSE OF LORDS.

### *Friday, June* 10.

FOREIGN TROOPS.] The Marquis of *Lansdown* rose to put a question to the noble earl opposite, respecting the landing of certain foreign troops in this country. It was important, in point of principle, though not with a view to the particular case, that every explanation should be given, and a constitutional course pursued on this subject. The question he had to put was, whether the noble earl was prepared to make any communication to parliament on the point to which he alluded. There had been cases, indeed, where the troops had been landed first, and the communication made to parliament afterwards; but that was only where there was an emergency which did not permit delay in the landing of the troops till the proper communication could be made to parliament. Here the landing of the troops was a mere matter of convenience, which might have been the subject of previous arrangement, and where there had been nothing to prevent a communication being made before the troops were landed. It was also, in point of principle, worthy of notice, that these troops were not even in British pay, and consequently not at all under the controul of parliament. The question was put merely on the constitutional ground, and not from any desire that the convenience might be withheld from the illustrious monarch to whom the troops belonged.

The Earl of *Liverpool* said, he had nothing to complain of, either as to the nature of the question, or the manner in which it was put. None of the troops, to which the noble marquis alluded, had as yet been landed in this country, as far as he knew; and he had, in answer to the question, only to state, that he expected to receive the commands of the Prince Regent, to make a communication on the subject on Monday.

PETITIONS AGAINST THE CORN BILL.] Earl Stanhope presented two petitions: one from the parish of St. Luke, and the other from the parish of St. Andrew, Holborn, against the proposed alteration of the corn laws. The noble earl stated, that the first of these petitions was against the measure now before their lordships' House: the second stated the principles which he himself maintained: it attributed the high price of corn to the burthens of the war; it was what he called a peppering petition. Upon the motion that this petition do lie on the table,

Lord *Arden* said, that hearing the term "pepper" applied by the noble earl, he thought the House would, before it received the petition, do right to order that it be read.

Earl *Stanhope* was glad to find that the noble lord had the same sentiments with himself, for he wished the petition to be read, and then they would perceive it was a peppering petition.

The clerk accordingly read the petition. It ascribed the high price of provisions to the burthens of a war unjustly commenced and indeterminable in its principles; it drew a distinction between the present and former landholders, and cast severe reflections upon the conduct of the former; and concluded by praying that their lordships would permit them to enjoy the blessings of peace. Both these petitions were ordered to lie on the table.

Committee on the Corn Laws.] The Earl of *Hardwicke*, according to notice, rose to move for the appointment of a Committee, to enquire into the state of the Corn Laws, and said, that as he anticipated no objection to the motion, it would be needless to support it by any reasons. His wish was that all persons who might present themselves to the Committee, as persons interested, should be examined, and that the Committee should report facts only. However, if any noble lord thought it would be better that they should also report their opinions, he had no objection to such an arrangement. His lordship concluded by moving that a Committee be appointed to enquire into the state of the Corn Laws, as they affect the landed and commercial interests of the country.

The Earl of *Darnley* supported the motion, and thought their lordships owed it to themselves, and the peace of the country, to lose no time in proceeding to the enquiry. The public cry against the Corn Bill was founded in error, and the accusation brought against landed proprietors, of selfishness, was a gross calumny. As from the time of the Revolution to the year 1765, the plan of prohibiting importation had been so successfully adopted, and as the plan since adopted had been productive of high prices, he was decidedly in favour of the measure which had been proposed in the other House. He hoped that measure would be taken up in the next session, and carried steadily through both Houses, without regard to popular clamour.

The Duke of *Athol* approved of the motion, as the appointment of such a Committee would lead to a result which might be the means of undeceiving the people on a point where such misconceptions prevailed, and which misconception, he was sorry to say, appeared to be increasing.

The Earl of *Lauderdale* concurred in the observations of the noble duke; but with respect to the motion of the noble earl he had only to suggest, that probably the words might be altered. First, he thought that the words "as they affect the commercial and landed interests," would be better omitted. He did not wish it to be so expressed as to imply that there were separate interests between the landholder and the manufacturer, and he therefore would propose, that the words "as they affect the grower and consumer of corn," be substituted in their place. He proposed this, too, on a knowledge, that if the interests of the consumer were to be consulted, they would regard the landed part of the community as much, if not more, than the manufacturers. There were, he believed, about 1,100,000 families placed to the account of the number of manufacturers in this country; but in this account were included all the shopkeepers, who were not manufacturers. On the other hand there were about 900,000 families who were dependant upon the land; but this account did not include the landlords. Therefore, if the shopkeepers were taken from one class, and the landlords were added to the other, the number of families supported upon the land of the country, would at least be as numerous as those who were maintained by manufactures, and on that account were equally interested in the price of corn. The noble earl expressed his surprise at the clamour and misconception which had been entertained.

The Earl of *Hardwicke* had no objection to the alteration proposed by the noble earl. He was only solicitous that the Committee should have full power to examine witnesses on the whole of this subject.

The *Lord Chancellor* saw no difficulty with respect to the power which the Committee would be authorised to exercise under this form of words. With respect to the interests which had been alluded to, they were one and the same. Indeed, this question had been attended with great misconception; and he never knew a measure against which there was raised such unfounded clamour, and the mischief was going on.

The Marquis of *Lansdown* would recommend that the enquiry should be directed in other words, "to inquire into the laws as they relate to the growth and commerce of corn." There were laws appertaining to this subject, necessary to be inquired into, and yet they were not technically included in "corn laws."

The Earl of *Lauderdale* considered that the consumers, such as the friends of the noble earl (Stanhope), would not conceive themselves included, and perhaps it would be better to add the word "consumption."

Earl *Grey* agreed to the propriety of this amendment, with a little variation, "that a committee be appointed to enquire into the state of the growth, consumption, and commerce of corn, and the laws thereto appertaining."

The Earl of Hardwicke assented to this amendment, and the motion was put and agreed to accordingly.

Corn Exportation Bill.] The Earl of *Hardwicke* moved the order of the day for the commitment of the Corn Exportation Bill.

Earl *Stanhope* objected to the Bill, because a committee had just been appointed to enquire into the subject on which they were then called to legislate. It was a mockery to appoint a committee, if it was intended to legislate before-hand.

The Earl of *Hardwicke* said, he had not expected any objection to the Bill, because it would do some good, and no harm.

Earl *Stanhope* thought, that besides having been prematurely proposed, the Bill was one of great rashness, because, on the supposition that there was a scarcity in this country, and a still greater scarcity in France, the scarcity here would be necessarily increased. There had also been a petition (besides those against alterations in the corn laws generally) specifically against this Bill.

The Earl of *Hardwicke* thought the noble earl would have been the last person to object to the Bill, as it went on the principle he had supported, of the freedom of commerce.

The House then went into a Committee.

The Earl of *Lauderdale* rose to propose an amendment. He was, he said, not a friend to the principle of freedom of commerce as a principle to be universally applied, as he found in many cases, from experience, that it would lead to evil. He should object to the repeal of the bounties which had so long existed, and which formed so material a part of the system of the corn laws in the country, just at the time when an enquiry on the subject was to be instituted. It had been said, that the effect of bounties was to make the poor of foreign countries eat their bread more cheaply than the poor of our own country. This was not the only effect, for by producing a demand they produced an increased supply, which in time of scarcity, might be prevented from being imported. So great was the effect of the bounties, that 600,000 quarters had been exported in one year. His lordship then proposed that the words in the Bill "abolishing the bounties" should be omitted.

The Earl of *Limerick* hoped the noble earl would not press his amendment, as the consequence would be the ultimate loss of the Bill, which if carried, would produce great practical benefit to Ireland, that country being now full of corn, and also to the British colonies, particularly the West Indies, which were greatly in want of corn.

The Earl of *Lauderdale* thought the considerations urged by the noble earl, ought not to have weight against a principle of legislation.

After some observations from the marquis of Lansdown, the earl of Galloway, earl Stanhope, and the duke of Athol, the question was put, that the words proposed to be left out stand part of the Bill, which was agreed to.

The Bill, having gone through the Committee, was reported by lord Kenyon, the chairman, without amendment. On the motion of the earl of Hardwicke, the Bill was ordered to be read a third time on Monday, and the Lords to be summoned.

## HOUSE OF COMMONS.

*Friday, June* 10.

Report of the Committee on Captain Manby's Experiments for saving the Lives of Shipwrecked Mariners.] Mr. Rose reported from the Select Committee on the reports and other papers respecting Captain Manby's Experiments, which were presented to the House upon the 7th day of December last, and to whom the Petition of Elizabeth Whitfield, late Bell, now the only surviving child of many of the late lieutenant Bell, Royal Invalid Artillery, on behalf of herself and three infant children; and also the papers respecting captain Manby's Experiments, which were presented to the House upon the 25th day of May, 1809, were referred; that the Committee had examined the matters to them referred; and that no person appeared in support of the said petition; and that he was directed by the Committee to move the House, That leave be given to bring in a Bill for compelling the owners or occupiers of lime kilns near the shore to erect skreens between them and the sea of sufficient height to prevent the fire from being seen at sea:—And the Report was read as follows:

### REPORT.

Your Committee having read and considered the papers respecting captain Manby's plan for saving the lives of shipwrecked mariners, referred to them, thought it their duty, in the first instance, to have under their attention a Report made to the House on the same subject in 1810, in which it is stated, "that the strong and cogent proofs which have been adduced before your Committee, place the advantages likely to result from captain Manby's plan, in the most favourable point of view; and indisputably prove, that its general adoption would be the means of preserving annually a number of valuable lives."

In support of this opinion, so expressed, there are, in the Appendix to that Report, a variety of proofs of the merits of captain Manby's plan: among these will be found, attestations of lives having been actually saved out of wrecks; certificates of officers of high rank in the artillery, and of naval officers of great experience, as well as of masters of merchant vessels, pilots, and others, of successful experiments having been made in their presence. There is also, in that Appendix, a return of nearly 40 ships and vessels that went on shore on the coast of Norfolk in one gale of wind; the crews of most of which were drowned, from the want of assistance to get them on shore.

In confirmation of all the former proofs, your Committee had the gratification of seeing experiments made in the neighbourhood of the metropolis, when the wind was high, which fully answered their expectation.

Subsequent to the date of the Report alluded to, it appears, by the papers referred to this Committee, that captain Manby has been employed, under the authority of government, to make a survey of the coasts of this kingdom, in order to inform himself respecting the parts thereof, where stations would be necessary for rendering his plan most generally useful. In the execution of which duty, laborious as his performance of it has been, his health unfortunately failed him, so as to prevent his completing all he was desirous of doing. It appears, however, from six Reports made by him to the Secretary of State, that, under the disadvantage of ill health, brought on by great fatigue and anxiety, he has made a very careful survey of the coast from the southern extremity of Norfolk to the Firth of Forth, one of the most dangerous districts in the whole kingdom.

The observations made by him while examining that extensive line, confirmed him in the opinion he had previously formed of the advantages likely to be derived from his plan; and circumstances are stated, from sufficient authorities, in his Reports, to justify the sanguine expectation he entertained.

These Reports were referred by the Secretary of State to the corporation of the Trinity-houses in London, at Newcastle, and at Hull; whose Reports thereupon are among the papers referred to this Committee.

In the opinion given by these three corporations there are no material variations: the two former state difficulties as likely to occur in the execution of the plan, and they express doubts respecting its utility being likely to be very general; as it can be effectual only where the wreck shall be within a quarter of a mile of the shore: the Elder Brethren in London, however, say, that, in particular stations, and where circumstances are favourable, it is likely to be useful. The corporation of Newcastle say, that its application will be almost infallible in some cases. And from Hull it is stated, that it may be of use. The corporation of London and Newcastle are averse from the expence of a national establishment being incurred; at least till the usefulness of the plan shall be further confirmed.

The last paper among those referred to this Committee, to which they are desirous of calling the attention of the House, contains a letter from admiral sir Richard Bickerton, commanding in chief his Majesty's ships at Portsmouth; who states, that the several naval officers, with whom he had conversed on the subject, "concurred with him in highly approving of captain Manby's method for enabling a person on a coast thinly inhabited, to communicate by portable means with a vessel stranded on a lee shore."

An attentive consideration of these papers leaves no doubt in the minds of your Committee, as to the expediency of measures being taken to give effect, as extensively as possible, to captain Manby's plan; the expence of which, in whatever manner it shall be incurred, will be trifling, when compared with the advantage attending it; because it is universally admitted that it must succeed in some cases, and there appears to be a reasonable ground to hope, that it will succeed in most of those, where the wreck shall be thrown within a quarter of a mile of the shore.

On this view of the subject, your Committee thought it proper to examine captain Manby, as to the number of stations where the mortar of brass (of the larger size, weighing about 2cwt. and carrying a shot of 24lbs. a quarter of a mile) should be placed; which he stated to be, as nearly as he conjectures, about 170 or 180, on the coast round the island. The whole expence of which, including all the necessary apparatus, would be about 20*l.* at each, making a total of less than 4,000*l.* for Great Britain. This would evidently be a charge, divided among the several maritime districts of Great Britain, so small as to be unworthy of notice; but your Committee are of opinion, that if the articles should be furnished by the public in the first instance, the plan will much sooner be in general use, than if individuals are to provide them. The inhabitants on the coast cannot hesitate to provide proper places for keeping the mortar, ropes, &c. and to instruct persons in the neighbourhood in the use of them.

Your Committee have confined their observations to Great Britain, as they are not furnished with any means of extending them to Ireland; but it must be evident, that if it shall be thought right to adopt the plan in this part of the united empire, it must be at least equally desirable, that Ireland should have the benefit of it; and of course that the articles necessary for preserving the lives of shipwrecked persons on the coasts of this kingdom, should also be furnished by the public.

The mortar of the small size, weighing 16lbs. and carrying a shot of 4lbs. 150 yards, against the strongest wind, would cost about 10*l.*

It is obvious, from attending to these weights, that the largest size could be transported, with all the apparatus, in a hand-barrow by two men with great facility, from the station where it may be kept, to any part of the adjacent coast where a ship could be stranded, within a quarter of a mile from the shore, or may be driven within that distance by the surges of the sea, even if he should have taken the ground further off.

The mortar of the smallest size, with all its apparatus, could with ease be carried by a man on his back.

In a few stations it may perhaps be desirable to have a mortar of a larger size than either of those above described, to carry a shot of 42lbs. to the distance of a quarter of a mile, with a rope of a larger size than used with the mortar of 24lbs.; the cost of which, if made with iron, with all the apparatus, would not be more than the mortar of brass of 24lbs.

The facilities of transport have been brought to notice since the reports were made from the three Trinity-houses, and appear to your Committee to give additional weight to the recommendation formerly given to the adoption of the plan. It seems also to have escaped attention, as far as can be learnt from the papers referred to your Committee, that in cases where captain Manby's plan shall be successful, the life boat (invented by Mr. Greathead, for which he received a parliamentary reward) will be useful, without which assistance it can seldom be got off to the relief of a wreck; because it can hardly ever happen that any human strength can pull a boat of that necessarily heavy construction through an immense surf, and opposed by a strong gale of wind on the shore.

Your Committee feel confident, that even in the event of the success of this plan being partial, the House will think it worthy of their countenance, and that the inventor will be entitled to a reward, especially as he gave up a valuable situation under government, to pursue the necessary measures for establishing the utility of his plan.

Your Committee think it incumbent on them to state, that captain Manby has been indefatigable in the pursuit of that object; and that his merit is not confined to having discovered the means of throwing a shot over a wreck, at limited distances from the shore; but that finding inconvenience from having been prevented from firing the mortar in wet and stormy weather, exposed to the violence of the wind, and the spray of the sea, on a lee shore, he has applied a chemical preparation, with which he can fire the mortar without the use of a match or fire of any sort.

He has also contrived a simple and cheap ladder; by the assistance of which persons may ascend the steepest land, in cases where the water is so deep close to the shore as for a ship to go broadside on the cliff; as in the case of the Halsewell Indiaman, some years ago, on the coast of Dorsetshire, the greatest part of the crew of which and the passengers were drowned; most of whom, if not all, might probably have been saved, if a ladder of this description had been on the spot near where the ship was wrecked.

One other invention of captain Manby's, the Committee deem it proper to notice, namely, a life rope for the assistance of persons who may have fallen overboard; because it is stated by admiral sir Richard Bickerton and the naval officers with him at Portsmouth, "to be ingenious, and likely to be extremely useful in such cases."

These inventions are certainly very simple, but, the Committee are persuaded, the House will not on that account think them unworthy of attention.

Your Committee think it would be attended with considerable advantage in furtherance of this plan, if rewards should be given to persons assisting to save the lives of mariners and other shipwrecked persons, especially where boats shall have been lost in the attempt; and if some compensation should be granted to the families of any who should perish in endeavouring to save others. With respect to the fund to be provided for the payment of such rewards, although it is possible that abuses might sometimes occur, yet your Committee are of opinion, that less evil would accrue from occasional misapplication of a small sum of the public money, than from wholly omitting so great an encouragement to a plan in itself of so much national importance.

Your Committee cannot close their Report, without observing, that, on the survey made by captain Manby, he did not confine his attention to the immediate object of it: in his fourth report to the Secretary of State, he takes notice of the loss of many vessels from the light of large limekilns situated on eminences in the neighbourhood of Sunderland, and other places, having been mistaken for lights intended to assist navigation; and he proposes, as a remedy, that a power should somewhere be vested, by law, to compel the proprietors of such kilns to erect screens before them, to prevent their being seen from the sea; in which suggestion the Trinity-house of London entirely concur. Your Committee cannot therefore hesitate to recommend to the House some legislative measure to accomplish this purpose. The danger is certainly the greatest when these are situated near lighthouses. It is not more than three or four years since, that two large frigates in his Majesty's service were lost on the east coast of Scotland, by mistaking a limekiln for the May lighthouse. But, considering the uncertainty attendant on ships making the land at night, dangerous mistakes may be made from lights on any part of the shore.

The chairman is therefore directed to move, for leave to bring in a Bill for compelling the owners or occupiers of limekilns near the shore, to erect screens between them and the sea, of sufficient height to prevent the fire from being seen at sea.

With respect to the Petition of Mrs. Elizabeth Whitfield, your Committee can only state, that they have not been attended by any persons in support of the allegations thereof.

The Report was ordered to lie on the table and be printed.

Lord Cochrane and Mr. Cochrane Johnstone.] Mr. *Broadhead*, adverting to the recent trials in the Court of King's-bench, Guildhall, observed, that a charge having been established against two members of parliament, deeply involving their public and private honour, he felt it to be his duty, in maintenance of the character of that House, to give notice that, at no very distant period, he would call the attention of the House to the subject. He was only apprehensive that there might be some objection, in point of regularity, to his giving that notice at present; but perhaps some honourable gentleman might relieve him from this difficulty.

The *Attorney General* expressed his satisfaction to hear that an early opportunity would be embraced, of calling the attention of the House to this subject. He conceived that the hon. gentleman would feel no difficulty in fixing such a day for his notice as might be most convenient both to the House and to himself; provided that he did not name an earlier day than Tuesday. By the course of legal proceedings, it was competent to any party convicted, as the parties had been to whom the hon. gentleman referred, to apply to the court, within the four first days of the term after such conviction, either to grant a new trial, or to arrest judgment. Now, as term commenced that day, and as such an application was possible, he suggested to the hon. gentleman the propriety of deferring his notice until the period prescribed by law had expired. In making this suggestion, he begged not to be understood as intimating the probability of such an application as either of those to which he had alluded. Prevented by his official duties, and by his duty as a member of that House, from taking any part in the proceedings in the late trial, he was not better informed with respect to them than any other hon. gentleman; and he hoped, therefore, he should not be so presumptuous as to offer, or even to form, any opinion as to the probability of any application, or as to the probability of the success of any application, if made.

Mr. *Broadhead*, in compliance with the suggestion of the hon. and learned gentleman, gave notice, that on Tuesday he would submit to the House a motion founded on the result of the late trial.

The *Speaker* said, that it might be for the convenience of the hon. gentleman, and of the House, to know, that in all such proceedings as that in contemplation, the first step was to bring before the House proof of the fact. After that was done, the party implicated had notice to appear in his place, and, if he should think proper, to defend himself from the charge preferred against him; and thereupon, and not till then, the extreme proposition was made. If, therefore, the hon. gentleman gave any notice, it must only be a notice that he would move to take the introductory step to the ulterior proceedings.

Mr. *Broadhead* then finally gave notice, that on Tuesday next he would move for a copy of the conviction.

The *Attorney General* promised that no delay should take place in the production of that document; but that the preparation of it should be immediately forwarded.

Lord Hill's Annuity.] The Chancellor of the Exchequer expressed the royal assent to the proposition for extending the term of the annuity while the peerage continued.

Mr. *Wynn* was pleased at having the duration of the pension extended; but, at the same time, he was concerned to find, that his Majesty's ministers were not inclined to increase the amount of it from 2,000*l.* to 3,000*l.* as he had proposed. He knew that the honour of the peerage was the real reward for the services for which it was given; but at the same time when it was deemed proper for the public good, and for the encouragement of great exertions, to give the peerage, he thought that parliament should take care to provide the means of supporting it with independence. As for lord Hill himself, small as his income would be, and inferior to that of almost any other peer, yet his high character and great services would enable him to enter the House of Peers without any sense of inferiority to any other person. He would, besides, have some addition to that income from his military appointments; but his successors who should enter that House with no other provision than the 2,000*l.* a year, would be necessarily thrown into a state of dependence upon the court. He then instanced the cases of lords Rodney, Duncan, and St. Vincent, who, although all of them supposed to be possessed of private fortunes, had pensions not only of 2,000*l.* per annum on the English establishment, but an additional thousand on the Irish. Now, if before the Union with Ireland, 3,000*l.* per annum were actually given to those persons who were raised to this peerage for their services, he thought that a less sum ought not to be given now. It might be said that there was a distinction, as those peers had been commanders in chief, and lord Hill had only a subordinate command. He thought, however, that there should be no distinction made on that account, when the services performed by a person in a subordinate command were conceived to merit the honour of the peerage.

The *Chancellor of the Exchequer* said, that from the enquiry he had made into the particular circumstances of this case, he saw no reason to make a distinction from what was usually granted, and therefore he thought it much better to adhere to the precedents of former grants. When the peerage was first conferred upon the duke of Wellington, after the battle of Talavera, 2,000*l.* a year was the pension granted. The same annuity was granted to lord Nelson, after the battle of the Nile. In both cases, most eminent services had been rendered, and yet 2,000*l.* per annum was in both cases the grant. It was an invidious task to enquire into the private circumstances of any individual, but on inquiry he did not find that the fortune of the noble lord in question was such as to make a greater addition to it more necessary than it would be to many other noble individuals.

Lord *Castlereagh*, in consequence of a question put to him by Mr. Wynn, declared that he could not recollect whether there had been any intention to propose to the Irish parliament an additional thousand a year to lord Nelson. He thought, however, that generally speaking, it was an invidious task to enter into minute comparisons either respecting the services or the private circumstances of those who were thus raised to the peerage. He thought it much better to adhere to one general rule.

Sir *John Nicholl* considered that a grant of 2,000*l.* per annum was utterly insufficient to support the dignity of the peerage. If 20 years ago it appeared that 3,000*l.* per annum was actually given, how could 2,000*l.* a year be supposed sufficient now, when the value of money was hardly more than half what it was then. Although lord Hill himself might be able to support his dignity, how was it possible that his eldest son should? The very dignity of the peerage would prevent him from entering into any of those professions in which men possessing talents might otherwise resort. The son of lord Hill would therefore have less means of providing for his family, than if he had not been a peer, and in this manner the descendants of lord Hill might be injured instead of benefited by the dignity thus imposed upon them. He did not conceive that this was a proper mode of encouraging great exertions in the public service.

Sir *C. Pole* observed, that although the services of lord Hill had been so great as justly to entitle him to the honour that was conferred on him, yet it must be recollected how many other brave officers, lieutenant-generals, had highly distinguished themselves, and trod very close upon the heels of the noble lord, in services to the country. To those men who had themselves rendered such important services, it might appear an injustice, if not only the honour of the peerage, but a grant exceeding all former grants in such cases, were to be conferred on lord Hill.

Lord *Clive* was for the additional 1,000*l.* a year, which was proposed by Mr. Wynn, as conceiving that a man, who had no private fortune, could not support the dignity of the peerage on 2,000*l.* per annum.

Mr. *Whitbread* said, that he felt himself obliged to oppose the amendment moved by his hon. friend. It was a thing of extreme delicacy and difficulty, as well as a most invidious office, to enter minutely into the comparative merits and circumstances of all those distinguished persons who were raised to the peerage on account of great services rendered to the public. When that great general, the duke of Wellington, who commanded all those generals, was first raised to the peerage, he had asked some questions as to his private fortune, which he had then supposed to be larger than it was. When, however, the last question was submitted to the House about his provision, he had proposed an addition to that which ministers had recommended, and his proposal was unanimously adopted by the House. The reason why he then proposed the addition was, that he thought the services of the duke of Wellington were beyond all comparison superior to those of any other person, and that they could not be matched by the services rendered by any military man for the last century. The House should bear in their mind, that as to the pensions of 3,000*l.* a year, which other peers had obtained, 2,000*l.* of it was only for the lives of the two next in succession to the title, and the 1,000*l.* a year from Ireland, was, as he believed, only for the life of the person to whom it was granted. Under those circumstances, he conceived that the pension of 2,000*l.* which was now proposed to be continued to every successor to the title, was really a better provision for the independence of the peerage than the 3,000*l.* a year for the lives of the two next in succession.

Mr. *Protheroe* hoped that ministers would recommend the giving lucrative military situations to those officers who had so greatly distinguished themselves.

Mr. Wynn then withdrew his amendment, and the original resolution was carried.

NEGOCIATIONS AT CHATILLON.] Lord Palmerston proposed that Friday next should be fixed for taking into consideration the Army Estimates.

Mr. *Whitbread* suggested, that as that was the day proposed for the consideration of the Treaty, whether it would not be better to appoint some other day for the Army Estimates. He also wished to know whether it was the intention of ministers to bring down the papers relating to the negociations carried on at Chatillon? He had no doubt that the conduct of his Majesty's government was perfectly just and proper. But in consequence of the failure of those negociations, the Treaty of Chaumont was concluded, by which this country had agreed to furnish five millions to the support and continuance of the war. He therefore thought, that as, in the present state of the world, there could be no danger in disclosing the proceedings, it would be more satisfactory to the House to know on what grounds they had voted this sum. He also wished to know what were the dispositions of the late government of France with respect to the abolition of the slave trade. He must confess, that the concessions on that point to the present French government, were such as in his mind destroyed all the satisfaction he should otherwise have felt from the Treaty itself.

Lord *Castlereagh*, in reply, said, that it was his intention to postpone the discussion of the Treaty, from Friday to an early day in the following week. He thought the most convenient mode for the hon. member to pursue with respect to the subject of the proceedings at Chatillon would be to postpone any step upon it till after the discussion upon the Treaty had taken place. He himself had no reluctance personally to laying the papers before the House; but he conceived that, on the general principle, it would be establishing an inconvenient precedent, to communicate papers and proceedings to parliament, which had led to no definitive conclusion. In answer to the last question of the hon. member, respecting the slave trade, he had no hesitation in stating, that the same proposition was made to the former government of France as was made to the present. The humane and benevolent disposition of the king of France would, he hoped, effect more than was done by negociation. With respect to the former government of that country, as far as he could learn, there was a general repugnance to the abolition of the trade.

Mr. *Whitbread* said he did not impute any blame to the noble lord; but because the House was called upon to vote large sums of money, in consequence of that convention, he merely called for those papers upon the subject which were already printed. With respect to the slave trade, to talk of humanity and benevolence, were mere words. The truth was, that all the horrors of the trade were revived by the Treaty.

Lord *Castlereagh* was of opinion that some presumptive blame should be made out, to ground the production of the papers in question. Their being printed was a proof that, if necessary, there would have been no repugnance to bring them before the House.

Princess of Wales.] Mr. *Whitbread* said, the hon. member for Wiltshire, whom he did not see in his place, had given notice of a motion on a peculiarly delicate subject (the Princess of Wales) for Tuesday. He should be most happy if any thing should occur to postpone the discussion of that subject entirely, but otherwise, he conceived that as many members would probably be absent at Oxford on that day, it would perhaps be better to defer the subject till Thursday.

Lord *Castlereagh* deprecated the agitation of the question as much as the hon. member, and should be as happy as any individual in the House or the country to see it brought to an amicable adjustment out of the House. He, however, concurred in the propriety of the hon. member's proposal to have it brought forward on Thursday, instead of Tuesday.

Mr. *Whitbread* said it was ridiculous in those to talk of deprecating the agitation of a question, who had it in their power to remove the necessity for it altogether.

It was accordingly understood that Mr. Methuen's motion would stand over for Thursday.

Army Extraordinaries.] The House having resolved itself into a Committee, the Chancellor of the Exchequer proposed the sum of four millions for defraying the extraordinary expence of the army for the year 1814.

Mr. *Baring* enquired whether the subsidies were included in the preceding sum, not omitting those to Sicily?

The *Chancellor of the Exchequer* replied, that they were not included; but he apprehended they would not exceed a million and a half, though he could not state the precise amount at present.

Mr. *Huskisson* said, that he thought the sum required by the right hon. gentleman for the army extraordinaries extremely moderate. They had amounted last year to 16,000,000*l.* but he understood the whole extraordinaries for the present year would not exceed nine millions; and when it was considered how very great had necessarily been our expenditure during the last six months, the reduction was certainly considerable.

Lord *Castlereagh*, in reply to a question from Mr. Whitbread, stated, that it would not be possible to say precisely what would be the amount of force necessary to be employed or kept in pay between the period of signing the definitive treaty of peace between this country and France, and the general arrangement of the affairs of Europe. It never had been the policy of any country suddenly to disband an army pending negociations.

Mr. *Tierney* wished to know whether any final arrangements had been made with respect to the home staff? Ministers, he thought, must have made up their minds as to the reduction that was intended to take place; and it was highly desirable that the public should see that every practicable retrenchment would be made as soon as possible. If the noble lord was not prepared to state the precise extent of the intended reduction of the home staff, he thought it would be better to withdraw that part of the estimates relating to it until some final arrangement was completed.

Lord *Palmerston* said, that no distinction existed between troops employed at home and those employed abroad, and therefore till a plan for putting the army at large upon a peace establishment was settled, it was impossible to determine what would be the precise reduction of the home staff. A considerable one certainly would take place, though none had yet been made. The very act, indeed, of disembodying the militia and reducing the regular army, required as much staff assistance nearly as any other service.

Mr. *Tierney* said, he really could not comprehend why the noble lord could not make an estimate of how many generals, how many lieutenant-generals, how many major-generals, and so on, it was intended to retain upon the home-staff. In the present state of this country and of Europe, the House had a right to expect that a peace estimate should be laid before it, instead of which, they were called upon to vote a sort of war estimate upon account.

Lord *Palmerston* contended that it was impossible to make such a specific estimate at present as the hon. gentleman seemed to wish.

After some further conversation between Mr. Huskisson, Mr. Bennet, Mr. Bankes and lord Palmerston, the resolution was agreed to.

## HOUSE OF LORDS.

*Monday, June* 13.

CORN EXPORTATION BILL.] On the order of the day for the third reading of this Bill,

Earl *Stanhope*, adverting to the words in the Bill allowing the export of corn "at all times," stated his objections to this arrangement, observing, that as in a year of great scarcity in this empire, a still greater scarcity might exist in foreign countries, the allowance of free export in such a case would be obviously prejudicial. He therefore proposed the omission of these words. A book had been published by his noble friend (the earl of Lauderdale), in which the author argued that bounties ought to be granted upon the export of corn, because such bounties served to encourage a growth of corn beyond the quantity necessary for the home consumption, and because, in years of scarcity, we might, by stopping the export, have additional means of supply for the home market. From this passage he concluded that his noble friend would support his amendment—that the peer would act consistently with the author. In fact, if his amendment were not adopted, there would be no alternative in such a case of scarcity as he had just stated, but the starvation of the people, or the exercise of a dispensing power by the crown, in issuing an order to prohibit the exportation of corn. That the crown could not and ought not to exercise such a power as that for which James 2 was deposed, the noble lord showed by referring to the Bill of Rights. It had been intimated, that if such an amendment as that he proposed were adopted, the Bill would not pass in the other House, but this he thought quite improbable; for he remembered another Corn Bill relative to export having been brought into that House, in which the word, "&c." had been so introduced as actually to include sea biscuit, but upon his proposition the "&c." was omitted, and the House of Commons, with whom the Bill originated, after having for some time kicked about the Bill of its own making, adopted the Bill with his amendment. Here the noble earl observed, that Bills upon the most important subjects were too often most clumsily drawn up, and concluded with moving his amendment.

The Earl of *Hardwicke*, after expressing a wish that this Bill should extend to sea biscuit, argued against the amendment, which would, in his opinion operate against the whole principle and purpose of the Bill.

The Earl of *Lauderdale* objected to the words alluded to by his noble friends, because, to use the language of a former chancellor, he thought they involved " an act of impertinence." For upon what principle could the House justify such a prescription to posterity? He had heard much of the respect due to the wisdom of our ancestors, but was no respect due to the wisdom of our posterity? The world must naturally improve as it advanced, and why by such a legislative enactment as that to which his noble friend referred, should we undertake so peremptorily to dictate to our posterity? But with these general observations upon the phrase of " at all times," he still could not agree to the amendment proposed by his noble friend.

The amendment was rejected. Lord Lauderdale proposed an amendment, to leave out the words " repealing the bounties," but this amendment was negatived. The Bill was then read a third time and passed.

The Earl of Lauderdale's Protest on the Corn Exportation Bill.] The following Protest is entered on the Journals of the House of Lords, by the Earl of Lauderdale, on rejecting the motion he made, on the third reading of a Bill, entitled, " An Act to permit the Exportation of corn, grain, meal, malt and flour, from any part of the United Kingdom, without payment of duty, or receiving of bounty," to omit such part of that Bill, as repeals the bounties, which, for more than a century, have been given on the exportation of grain:

1st. " Because the abolition of all bounties on the exportation of grain, without any enquiry, at a moment when in compliance with the request of a numerous body of petitioners, a committee has actually been appointed to investigate the effects of our present system of legislation, both on the interests of the growers, and of the consumers of grain, appears to me to be an act of the grossest inconsistency.

2nd. " Because the system of granting bounties on the exportation of grain, thus incautiously abandoned, must be eminently advantageous in securing the important object of equalizing the price of that which forms the chief article of subsistence.

" All sound principles of theory concur in shewing, that such a bounty must tend to enable the farmer of this country to undersell foreigners—that the demand for his commodity must be thereby increased—that he must therefore be encouraged to raise a greater quantity of grain than would otherwise be produced—and consequently, that in years of scarcity, by prohibiting exportation, this country may acquire a supply at a moment it is least likely to receive aid from importation, which cannot fail to prevent that occasional extreme rise in the value of subsistence, so destructive of the limited comforts of the poorer orders of the community.

" From the experience of past times it is also evident, that this actually was the happy effect of a bounty on the exportation of grain; for, during the continuance of an efficient bounty from the year 1697 to the year 1757, this country was amply supplied with grain, even in years of scarcity, without foreign aid, by exportation having been three several times prohibited, in 1699, 1709, and 1741, for the purpose of securing to the home consumer the extra produce which the bounty had created; and the price of wheat during the last 30 years of that period, whilst it never fell below 1*l.* 2*s.* 1*d.* per quarter, at no time rose above 2*l.* 8*s.* 5¼*d.* per quarter.

" It does therefore appear to me, that the premature declaration made by this Act, of the inexpediency of those bounties on the exportation of grain, which for more than a century have formed a conspicuous feature of the system we are about to investigate, must be regarded by the public as highly rash and injurious; and in this opinion I am confirmed by contemplating the great importation of grain, as well as the rise, and extreme fluctuation in the price of wheat, that has taken place during the last 30 years, when the alteration in the value of money had rendered the bounty inefficient; for the lowest price of wheat, during this term of years, being 2*l.* 2*s.* 2¼*d.* is nearly equal to the highest price of wheat per quarter during the 30 years already alluded to, in which an efficient bounty was given: whilst, notwithstanding a great and constant foreign importation, the poor have suffered, from wheat occasionally rising to the unprecedented value of 6*l.* 8*s.* per quarter. Lauderdale."

## HOUSE OF COMMONS.

*Monday, June* 13.

The Speaker acquaints the House

OF THE DEATH OF MR. LEY, THE DEPUTY CLERK.] The *Speaker*, immediately upon taking the chair, acquainted the House, that he had with deep concern to signify to the House, that Mr. John Ley, their deputy clerk, had died that morning, and that Mr. John Henry Ley, the second clerk assistant, had requested leave of absence on account of the death of his near relation.

The *Chancellor of the Exchequer* said, that the services of Mr. Ley had been so long and so faithful, that he was sure the House would agree with him in the propriety of placing on the records of the House some testimony of the merits of that much esteemed gentleman, as had been done in the case of other meritorious servants of the House. He then moved, "That this House entertains a just and high sense of the distinguished and exemplary manner in which John Ley, esq., late deputy clerk of this House, uniformly discharged the duties of his situation, during his long attendance at the table of this House for nearly 47 years."

Mr. *Rose* seconded the motion, and concurred in the sentiments expressed by the right hon. the Chancellor of the Exchequer, as to the merits and services of Mr. Ley.

Mr. *Bankes* regretted the occasion of this motion, and gave his testimony to the merits of that long tried and worthy servant of the House.

The motion was then agreed to, *nem. con.*

Mr. Henry Gunnell was then ordered to attend and assist at the table.

LORD COCHRANE AND MR. COCHRANE JOHNSTONE.] Mr. *Broadhead* rose and said, that in consequence of his having been informed that morning, that it had not been possible to make out the copy of the conviction of the persons concerned in the late fraud on the Stock Exchange, it was his wish to postpone his motion on that subject till to-morrow se'nnight.

PRINCE REGENT'S MESSAGE RESPECTING RUSSIAN TROOPS.] The Chancellor of the Exchequer acquainted the House, that he had a Message from the Prince Regent to this House, signed by his Royal Highness, and he presented the same, and it was read as follows:

"In the name and on the behalf of his Majesty:

"GEORGE *P. R.*

"His royal highness the Prince Regent thinks proper to acquaint the House of Commons, that his Imperial Majesty the Emperor of Russia, having applied to his Royal Highness to allow a body of Russian guards, part of the allied army lately employed in France, to be landed in the neighbourhood of Portsmouth, for the purpose of being re-embarked as early as possible on board the Russian fleet on their return to the dominions of the Emperor, his Royal Highness has consented to this request of his Imperial Majesty; and that the said guards are immediately expected to be landed accordingly; and that his Royal Highness has, in consequence, directed proper accommodations to be provided for them."

The Chancellor of the Exchequer then moved the thanks of the House to his royal highness the Prince Regent for his gracious communication, which were accordingly voted.

MR. LE MARCHANT.] Mr. *A. Browne* said, that in a conversation which took place on the Colonial Bill, he gave notice, that when he saw an hon. gentleman (Mr. Goulburn) in his place, he would put a question to him respecting Mr. Le Marchant, who had been appointed to an important situation in the colonies. He had then stated, that a letter had appeared in the public papers, which tended, if its contents were true, to reflect much discredit on Mr. Le Marchant, and pressed the necessity of his removal: in answer to this it was stated, that during the trial it would not be proper to take so decisive a step, and that the determination of government would depend on the issue of that trial. He saw the hon. gentleman (Mr. Goulburn) at the trial; and if any thing more was necessary to satisfy him, and to prove the inexpediency of continuing the gentleman in the office to which he was appointed, it might have been found in what Mr. Le Marchant had said upon that trial; for he there confessed, that he was determined to withhold his testimony, if the terms proposed by him were accepted. The demand he made was totally unworthy of him, and of the situation to which he was appointed. The situation was in the West India islands, and one of the greatest importance in all the internal system of their government. By this place the care of all the public records affecting the property of individuals, devolved upon him, and also the secretaryship both of the governor and privy council. Considering the importance of such a place, and the secrets relating to the government which must be intrusted to the person who filled it, he hoped he might appeal to the right hon. the Chancellor of the Exchequer, to know whether it was intended to continue Mr. Le Marchant in the situation.

The *Chancellor of the Exchequer* said, he could not answer officially, but he believed that government would be directed in their conduct by what appeared on the trial, and that the course pursued would be such as the House would approve of.

THE BUDGET.] The House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* said, that he rose for the purpose of submitting, for the consideration and approbation of the House, the terms of the loan which had been that day contracted for. From the unavoidable absence of many members of that House, it was his intention to postpone, to a future opportunity, a great part of what he intended to say on the subject of the supplies and the ways and means, generally known by the appellation of the Budget. He would, therefore, confine himself to a brief statement of the supplies already granted, what remained to be voted, the ways and means to defray those charges, and the terms on which the loan had been contracted for. The House would recollect that many items still remained to be provided for, among which were the army estimates, and also the sums necesssary to defray the ordnance service, which would absorb a considerable portion of the ways and means of the year. The war taxes, amounting to 21,000,000*l.* might be considered as applicable to these two purposes—and he would state, in detail, the ways and means by which the remaining charges were to be met. By adopting this course of proceeding, he would bring under the consideration of the committee the supplies which had been granted, together with those that still might be wanting; and next, the ways and means, before they came to the consideration of the loan. The right hon. gentleman then proceeded to state the different heads of supply as follow:

| | | |
|---|---|---|
| Navy (exclusive of ordnance sea service) which had been completely voted | £. 18,786,509 | |
| The sum voted for this, last year, was 20,575,011*l.*; there was therefore, a balance in favour of this year, 1,788,502*l.* | | |
| Army (including Ireland), with barracks and commissariat, of which a part yet remained to be provided | | 18,121,173 |
| The vote of last year was 18,926,537*l.*; the balance in favour of this year was therefore 805,364*l.* | | |
| Extraordinaries, | | |
| England | £. 9,300,000 | 9,200,000 |
| Ireland | 200,000 | |
| Under this head, the vote of last year was for England, 9,500,000*l.*; for Ireland, 200,000*l.*: the difference in favour of this year, 300,000*l.* | | |
| Extraordinaries unprovided for last year | | 6,350,132 |
| Ordnance (including Ireland) that had not been provided for | | 3,955,658 |
| The amount was short of the vote of last year 1,145,636*l.* | | |
| Miscellaneous, which was equal to the vote of last year | | 2,500,000 |
| Vote of Credit for England | £. 3,000,000 | 3,200,000 |
| Ditto for Ireland | 200,000 | |
| The sums voted on this account last year, were, for England, 6,000,000*l.*, for Ireland, 200,000*l.* | | |
| Subsidies voted | | 3,000,000 |
| Ditto to be voted | | 1,200,000 |
| Bills of Credit already voted to pay the Bills issued according to agreement, by our Allies, and guaranteed by us | | 1,000,000 |
| The total amount of the joint charge therefore was | | 67,313,472 |
| **The Separate Charges were:** | | |
| Loyalty Loan | 71,320 | |
| Interest on Exchequer Bills | 1,900,000 | |
| Ditto on Debentures | 49,780 | |
| Grant to Sinking Fund, in respect of Exchequer Bills unprovided | 290,000 | |
| For payment of Exchequer Bills | 6,000,000 | |
| | | 8,311,100 |
| | | 75,624,572 |
| From this was to be deducted the proportion which Ireland was to bear, viz. | £. 7,919,232 | |
| Civil List and Consolidated Fund | 187,862 | |
| | | 8,107,094 |

| | |
|---|---|
| Which would leave to be provided for by Great Britain .. | 67,517,478 |

The Ways and Means which he would propose to meet this sum were—

| | |
|---|---|
| Annual Duties .............. | 3,000,000 |
| War Taxes.................. | 20,500,000 |
| Lottery .... ............... | 200,000 |
| Vote of Credit .............. | 3,000,000 |
| Naval Stores (English proportion) .................... | 508,545 |
| First Loan.................. | 22,000,000 |
| Second Loan concluded this day | 18,500,000 |
| Making together the sum of | 67,708,545 |

It would here occur to many gentlemen that he had not taken credit for the consolidated fund; but the reason of this was, that it fell so far short in the last year from what might have been expected from it; and therefore he thought it wiser to permit its growing profits to accumulate for some future time, than to make any farther charge upon a fund which had disappointed their expectations. The right hon. gentleman then stated that in the Customs duties there had been a deficiency; but from the unfortunate fire which had happened at the Custom-house, he was not able to state on what articles the deficiencies had arisen. The amount of the Customs duties received was 9,818,000*l.* which was two millions short of the expectation that had been formed. In the Excise the produce had been considerably greater, and all the other branches had been comparatively flourishing. The stamp duties to the 5th of April, 1813, amounted to 22,957,000*l.* and for the last year 23,971,000*l.* which gave an increase of about a million. The beer was not quite equal to the last year. In 1813, it produced 2,699,000*l.*, and in 1814, but 2,585,000*l.* The produce of malt, for 1813, was 4,440,000*l.*, and for 1814, 4,875,000*l.* making an increase of about 430,000*l.* The produce of British spirits for 1813, had been 2,632,000*l.* and for 1814, 2,969,000*l.* an increase of 300,000*l.* On Foreign spirits an increase had also taken place; in 1813, the produce was 2,325,000*l.*, in 1814, 2,521,000*l.* being an increase of nearly 200,000*l.* Foreign wines, in consequence of the destruction of the vineyards in Portugal, had not been productive for many years, but there had been a rise in the last year from 947,000*l.* to 1,013,000*l.* Upon teas there had been an increase from 3,547,000*l.* to 3,652,000*l.*; and on the Post-office an increase from 1,265,000*l.* to 1,289,000*l.*, an increase which, although trivial, yet proved the benefit which had arisen from the new measures that had been adopted. The assessed taxes, which included some of the taxes which had not been collected in 1812—in 1813, amounted to 5,880,000*l.* and in 1814, to 6,339,000*l.* being an increase of half a million. The land tax which was a fixed rate, in consequence of the progress of its redemption was not quite so productive as the former year; its amount in 1813, was 1,081,000*l.*, and in the last year but 1,000,059*l.* The remaining branch of the taxes was the property tax, upon which there had also been a considerable increase. The produce for 1813, was 12,868,000*l.*; for 1814, 14,485,000*l.*; making a surplus of 1,517,000*l.*

He had now stated the general produce of the revenue in detail, and this he thought the best mode of acting, as the House would be enabled to form a judgment on the produce of the different branches. The unfortunate event to which he had already alluded, namely, the fire at the Custom-house, prevented him from satisfying the House upon the increase of our trade, but he could with confidence state that our actual exports in the last year had exceeded in a most flourishing degree any other year which had preceded it. The last thing which he had to advert to, was the terms of the loan. He would, however, before he proceeded to make his statement on this subject, anticipate a question which his hon. friend opposite (Mr. Grenfell) would probably ask. He would perhaps enquire, whether any attempt had been made, in negociating the late loan, to carry into effect a clause contained in the Act of the 23d of his Majesty, for appropriating part of the growing produce of the sinking fund to the service of the year. In answer to this he had to observe, that all the parties who bid for the loan, with the exception of one gentleman, were averse to that proceeding. And looking to this general concurrence of opinion, it was thought that a better bargain could be procured by agreeing to the suggestion, than if any opposition were made to it: because, from the large amount of the loan, it was not probable that a great competition would have been produced, if, in negociating it, they had acted under the provision contained in the clause alluded to. Finding the opinion of the contractors generally hostile to the proposition, and seeing there was no probability, that, for a loan of 18,000,000*l.* any other bidders would come forward, besides those who attended on the occasion, it was thought advisable to coincide in their terms, and to make the loan on the old principle. The bargain was extremely satisfactory, being very much in favour of the public. Undoubtedly, at the present moment, when this country was at peace with all the world, except America, it was natural to expect that the loan would be negociated upon favourable terms, and he was extremely happy to say, that such terms had been obtained. It was thought necessary that part of the loan should be taken in the 5 per cent. This was not popular amongst the contractors, who were much better pleased with a bargain in the 3 per cents.; it had, however, been carried into effect, and the result would be, a decrease of charge and interest, to a very considerable amount. On a casual view of the subject, this would not appear to be the case, but a little consideration would prove, that an amount of nominal capital, of not less than 4,000,000*l.* would be saved, by taking part of the loan in the 5 per cent. The total amount of the loan was 24,000,000*l.* Of which 5,500,000*l.* was for the service of Ireland, leaving to Great Britain a sum of 18 millions and a half. For every 100*l.* in money the contractors would receive a capital of 30*l.* navy 5 per cent.; 80*l.* 3 per cents. reduced; 23*l.* 10*s.* 3 per cent. consols. To avoid increasing the charge on the consolidated fund, they had, for the first time, stipulated, that instead of paying interest for the six preceding months, it should only begin to run from July next in the navy 5 per cents., and from April last in the consols. This system would produce a reduction from the 5 per cents. of 2,500,000*l.*, and from the consols, of 1,500,000*l.* Calculating the loan on these terms, the interest would be found not to exceed 4*l.* 12*s.* 1*d.* per cent. The first dividend, being exempted from the property tax, formed a respectable bonus: and, as it was intended to meet the charge created by funding for the service of the present year, by cancelling redeemed stock in the manner provided for in the last session of parliament, the necessity of burdening the consolidated fund with any additional charge would thus be avoided. The most remarkable circumstance connected with the present loan, and one which he believed had never before occurred, was the improvement which took place in the state of the funds, at a time when it was known that so large a sum of money was about to be borrowed. The actual biddings became, in consequence, so much more favourable, that almost a million of stock was saved to the public, which, if government had closed with the contractors on Wednesday last, must have been given to them. When the funds rose so high, at the period when a loan was pending, it proved the flourishing state of our public credit, and, at the same time, held out the most flattering hope, that they would continue, for the remainder of the year, equally elevated. The interest of 4*l.* 12*s.* 1*d.* to which were to be added the sinking fund charge, and the other incidental expences, made a total of something more than 8 per cent. It was his intention to move a resolution for cancelling an amount of stock sufficient to bear this charge; and even when that was done, not less than 50,000,000*l.* of surplus stock would still remain applicable to the service of the country. The right hon. gentleman then moved, "That it is the opinion of this Committee, that, towards raising the supply to be granted to his Majesty, the sum of 24,000,000*l.* be raised by annuities; the charges of 18,500,000*l.* whereof shall be defrayed by Great Britain, and of 5,500,000*l.* by Ireland."

Mr. *Grenfell* wished to know, whether he was to understand that the discussion was to be deferred to a future day, or was then to be proceeded in?

The *Chancellor of the Exchequer* said, he had no objection to hear any observations which his hon. friend might then think proper to make. When he first addressed the Committee, the House was so extremely thin, that he had suggested the propriety of postponing the discussion to some future opportunity, as a matter of convenience. A great number of members had since come in, and, if his hon. friend pleased to favour the Committee with his sentiments, he should be happy to hear them.

Mr. *Grenfell* said he was willing to defer his observations until every subject connected with the budget was fairly before the House.

The *Chancellor of the Exchequer* said, if there was any particular point in his statement to which his hon. friend objected, he wished him to make his observations on it at that moment. If, for instance, he was hostile to the manner in which the negociation of the loan had been conducted, he was very desirous now to hear his sentiments on the subject.

Mr. *Grenfell* said, that what he was then about to offer to the House, should not preclude him from fully stating his opinions, when the question of the loan was more particularly under discussion. He regretted very much, that the right hon. gentleman had not applied a part, at least, of the Sinking Fund, in lowering the amount of the loan; and if any one thing surprised him more than another, it was the way in which he had accounted to the Committee for not making use of it for that purpose. His reason was, because those who came to offer for the loan were against such a proceeding—and he thought it necessary to coincide in their opinion. Now, taking the advice of those who were deeply interested in the amount of the loan, was not, in his opinion, very prudent. Men in such a situation, would act in the manner most beneficial to themselves. This maxim was very well laid down in a fable, which he recollected to have read in his early years. A town being on the point of sustaining a siege, a mason recommended stone walls, as affording the strongest protection; a carpenter was anxious that wood should be preferred; while a currier declared, that, however great the virtues of stone or wood might be, still leather was much better adapted to keep off an enemy. Now, although it was more to the interest of the public, that the loan should be 8 or 12, than 24 millions, yet it could not be expected that those who derived a great emolument from the larger sum, should express themselves in favour of the smaller. The right hon. gentleman admitted that one of the contractors thought differently from the others. He knew the hon. gentleman who had been alluded to, and no man in the country, he believed, had a greater practical knowledge of the subject than he had. His opinion, which he regretted had not been followed, was, that the plan of applying a part of the Sinking Fund to the loan of the year, would be of great service, because it would tend to raise the price of the public funds.

The *Chancellor of the Exchequer* said, that he had procured a much better bargain, by coinciding in the terms offered by the contractors, than he could possibly have obtained, if he had adopted the system to which his hon. friend was so partial.

Mr. *Huskisson* said, he should be very glad if an opportunity were afforded him, to examine the general state of our finances, and to learn what the peace establishment was likely to be. It was most important that the general state of the finances of Great Britain, under her new and improved situation, should be perfectly understood; and he now put in his claim, when the subject came under discussion, to state his sentiments at length.

Mr. *Ponsonby* wished to know, whether it was the intention of his Majesty's ministers to continue the property tax for the whole time it was allowable by law? He knew, by the words of the Act, that the tax would exist until the 5th of April next. The clause stated, that it should expire on the 5th of April next following the signature of a general treaty of peace. Now, the present peace having been signed after the 5th of April last, his Majesty's government would of course have the benefit of the tax until the 5th of April, 1815. They were undoubtedly extremely lucky in the time at which the treaty was signed; for, had that event taken place in March, instead of May, they could not have availed themselves of the tax after April last. Now if the right hon. gentleman meant to make use of this tax for the remainder of the term, he should not offer any observation on the wisdom or policy of the measure; but he hoped, if he did avail himself of it, for ten or eleven months longer, that he would be prepared to do without it in future. It was, in fact, a bargain between the nation and the parliament, that it should be collected only for the time specified in the Act; and, to induce the people to bear their weight of taxation with cheerfulness and good humour, that House ought to fulfil, scrupulously, the terms it had entered into with them. He, therefore, expressed his hope and wish that the property tax would not be collected after the 5th of April next.

The Resolution was then agreed to; as were also two others relative to the terms of the loan.

## HOUSE OF COMMONS.

*Tuesday, June 14.*

London Prisons' Bill.] Mr. *Holford* rose and said:

Sir; When a motion was made a few weeks ago for a committee to enquire into the state of the prisons belonging to the city of London, we were told by the hon. aldermen who represent the city in this House, speaking in a tone of confidence, and professing to speak from their own knowledge of the state and condition of the prisons alluded to, that there existed no ground whatever for such an enquiry; they told us, that whatever was wrong in their gaols arose entirely from the want of sufficient room in them for the prisoners, that the corporation of the city were engaged in building, and had almost completed, a new gaol, of large dimensions, for the reception of debtors, and that when the prisoners of this description should be removed thither from Newgate and certain other prisons, and when the space which they now occupied should be converted into accommodations for the criminals, the defects in the gaols belonging to the city would be remedied, and their arrangements, with respect to the prisoners, both debtors and criminals, would be found in every respect satisfactory.

The Committee was, however, appointed, and no person can have read the Report, which it has produced, without seeing that there are, in the prisons alluded to, many causes of complaint, which have no reference to the size and extent of the buildings, and that many evils prevail in them which will not be remedied by any addition that may be made to the space in which the prisoners are confined, evils of no trifling magnitude, which have properly attracted the attention of this House, and which call upon the legislature, with an urgency that cannot be resisted, to interfere for their correction.

The first evil which presents itself to notice in the prisons belonging to the City is, the insufficiency of the allowances to the persons confined in them; and, first, in regard to the article of food:—The prisoners receive their food in different ways. They have an allowance each of bread from the City; they have the benefit of legacies left for their use, and charitable donations, (lately formed in Newgate, into a fund, called "The Sheriff's Fund;") and they have, in four out of the five prisons, a weekly gift of meat from the sheriffs. It is, however, stated in the Report, and will not I presume be denied, that the whole quantity of food received by them, from these different sources of supply, would not be sufficient properly to support life, either in the debtors or criminals, if they were not assisted by their friends.

The meat given by the sheriffs to each gaol is always sent in the same quantity, without any consideration of the number of persons who may at that time be in the prison. It is stated by Mr. Newman, the keeper of Newgate, that no instance has occurred in that gaol of there not being prisoners enough to consume this meat, but it often happens, when the gaol is crowded, that there are more prisoners, of that poorer class in which it is distributable, than can each receive a share of it; and, in that case, the distribution is regulated by the turnkeys, whose discretion is to determine to which of the individuals, confined in the same yard, this dole shall be dealt out, and from which of them, as appearing to be least necessitous, it shall be withheld.

There is, however, one class of prisoners, to whose situation, on the head of food, I wish particularly to call the attention of the House. I mean the persons committed to the Giltspur-street Compter to take their trial on criminal charges. These persons (upon whose guilt or innocence, it will be remembered, their country has yet to pronounce) have, for all their sustenance, 10 ounces of bread per day, and 6lbs. of potatoes per week; and, by a most inconsiderate arrangement, the allowances of bread are given out but once in two days, so that if the prisoner shall be betrayed by his appetite into a full meal on the first day, he must fast on the second: and if he has the ill fortune to come into prison upon the day on which the bread is given out, and after the hour of delivery, he will be without food for eight-and-forty hours. When a crime has been committed, the persons upon whom the suspicion of guilt attaches are most commonly found among the poor and the friendless, and it is mere mockery to say of a person of this description, whose prison allowance is inadequate to his support, that he may purchase what he pleases for himself, or receive supplies from his friends. But if a party committed for trial has the means of supplying himself with food, or can prevail upon others to lend him assistance, with what colour of justice can he be be called upon to provide for his own maintenance in prison? His confinement, and the circumstance of his being taken from his daily labour, from the ordinary pursuit, or occupation, by which he earns his livelihood, are hardships of which he cannot properly complain; they are necessary for the ends of justice; they are incident to the situation in which he stands, as a person under accusation; but it is not necessary for the ends of justice that he should be subjected to the additional hardship of being obliged to maintain himself, either by making away with his own little property, or by taxing, for that purpose, the kindness of his friends; the friends of a prisoner committed for trial will often find ample room for the exercise of their liberality in the wants of an unfortunate wife and family, deprived by his confinement of their usual means of subsistence.

It does not appear that there is any regular allowance of clothing in the city gaols, even to the criminals confined for a long period in Newgate; the allowance of bedding, given only to the poorest prisoners, consists of two rugs. In a prison like Newgate, in which, from the fear of fire, the use of straw cannot be permitted, prisoners who must sleep on the boards, with nothing to put under or over them but a rug, will of course sleep in their clothes, and the circumstance of a prisoner's constantly continuing night and day in the same dress, especially in the case of persons who have no change of linen, is very inconsistent with that degree of cleanliness which ought to be observed in a prison, not only as essential to health, but as having no slight influence upon moral habits. Another grievance, connected with the insufficiency of the allowances to prisoners, is, the custom of garnish.

Garnish is a payment made by a prisoner on his first entrance into gaol, exacted by his fellow prisoners, as his contribution to a common fund, out of which are in general provided certain articles wanted for the use of the prison.

When a prisoner has not the means of satisfying this demand, he is persecuted, and vexed, and annoyed in various ways; he is driven from the fire, not suffered to come near it even for the purpose of cooking his victuals, he has his clothes taken from him; to use Mr. Newman's phrase, "he has tricks played him," in short he is subject to various indignities, more easily conceived than described, and to a degree of ill treatment to which the circumstance of his not having a shilling in the world ought not to render him liable.

Mr. Newman states, that, in his opinion a small addition to the prisoner's allowance, with a positive prohibition of this practice of taking garnish, would put an end, in the City prisons, to this disgraceful custom: which, though I believe it has in former times been prevalent in almost all the prisons of this country, has for some time ceased to exist in those which are under proper regulation.

While the poorer prisoners are thus inadequately supplied with the necessaries of life, those, even on the criminal side of Newgate, who may have a command of money, are allowed indulgencies, which ought not to be suffered in a prison. The criminal prisoner, the felon under sentence of transportation, the convict who has been condemned to death, but whose sentence is respited, may each purchase in Newgate as much wine and beer as he pleases, with this single restriction, that he must not have more than one pot of beer or one bottle of wine at one time in his possession; to this I must add that intoxication is not deemed an offence. If, indeed, it breaks out into acts of riot and disorder, then the whole ward, in which it has so shewn itself, is punished, by the general exclusion of the friends of all the prisoners from that division of the gaol; but if the drunken man shall not create disturbance, his drunkenness is not considered as deserving of notice, nor is any punishment annexed to it. No person can wonder that the vice of drinking prevails in Newgate, under these circumstances, even among those who come there with sober habits, when it is considered how very strong must be the temptation to men in prison, unhappy and unoccupied, to drown the recollection of the past, and to lose, for a season, the prospect of the future in the temporary oblivion produced by liquor.

There is no discipline of any kind in Newgate. When the keeper, Mr. Newman, was examined upon this point, before the Committee on Penitentiary-houses, in 1811, he told us that pockets were frequently picked in the prison. He says the same now. When asked whether cards and dice are allowed, he says, "they are neither allowed nor prevented." When the members of the Committee, which has just reported, visited Newgate, while we were on the roof of the building to which strangers are generally taken, in the first instance, to have a full view of the prison, our attention was attracted to a battle in one of the yards below; a battle between two prisoners in irons, naked to the waist, each attended by a second, and sitting on his second's knee, after each round, with as much regularity as could be observed in any of those contests of which we sometimes see an account in the newspapers. I put it to the recollection of the hon. members who were then present, whether this disgraceful scene was very speedily terminated; the battle was not interrupted by the turnkeys below, it was stopped by the voice of Mr. Newman calling out from the top of the prison, by the orders of one of the aldermen present, a member of our Committee: there are, I know, some who think that there is no great harm in allowing prisoners to settle their own disputes and differences in this way, but I must desire those who entertain this opinion, to recollect what various descriptions of persons are confined together in a prison, and particularly in Newgate, from the old offender, who, hardened by a long course of guilt, glories in the number and magnitude of his crimes, to him, who, overwhelmed with shame at the detection of a first offence, comes into prison dispirited and broken hearted; separated, perhaps, by the disgrace that has fallen upon him, from respectable friends and connections, with whom he has formerly lived, but not prepared to pass over at once into the society of those of a different character, and shrinking with disgust from the advances of the vicious and the profligate. How often must prisoners meet in Newgate who have an old grudge against each other; confederates, perhaps, on some former occasions, one of whom has incurred the resentment of the others by not having been prepared to step as deep in guilt as his companions, and to join with them in some daring act of outrage. It must not unfrequently happen that men may meet in Newgate one of whom has given information, or even testimony, against the other. It ought not to be permitted, and it is not allowed in any gaol which is properly managed, that prisoners should offer personal violence to each other.

One main cause of the want of discipline and good order in the City gaols is, the manner in which the gaolers are paid, viz. by a salary and allowances given generally for the management of the prison, out of which they are to find such assistants as they may think necessary. It is obvious that this mode of payment affords no security to the public that the assistants will either be sufficient in number or of a description sufficiently respectable to preserve good order; the contract with the gaoler is made for the safe custody of the person, for that he is responsible, but discipline forms no part of the bargain, and is, therefore, not likely to be much attended to.

The next circumstance on which I have to observe is, the existence of what is called the Master's-side in Newgate. I admit that persons are often committed to prison who are entitled, from their education or former habits and situation in life, to be separated, or differently treated, from others who are confined for similar offences to those of which they are suspected or convicted; and I do not object to the State-side of the prison, in which persons of this description are placed, though it is obvious that even there the rents of the rooms should not form a part of the emolument of the gaoler. But in the Master's-side are placed together, as constituting a more respectable class of prisoners, all those comitted either to take their trial, or for punishment, fines, transports, respites, in short criminal prisoners of every description (with the single exception of prisoners waiting for execution) who can pay an entrance fee of 13*s.* 6*d.* and 2*s.* 6*d.* a week to the gaoler for a bed; the practice of thus breaking down for money the distinction between different classes of prisoners, is not only contrary to propriety, but it is a violation of the declared will of the legislature—the 31st Geo. 3, which directs, that all convicts under sentence of transportation, who are kept in gaol, shall be kept separate, as far as may be, from all other offenders except felons; makes no exception in favour of persons who can pay 2*s.* 6*d.* a week to the gaoler. How often must these payments be made by the highwayman or the house-breaker, out of the plunder which he has taken from the public before his conviction; how often out of money supplied by accomplices out of doors, furnishing the prisoner with these small sums through fear that he might otherwise be tempted to impeach his former confederates, or betray the secrets of the gang.

The only other observations with which I shall trouble the House, upon this part of the subject, relate to the manner in which the religious duties are performed in these prisons. I know that some gentlemen will think it idle to mention religion in connection with the prisons of London, and particularly with Newgate. I entertain a very different opinion on this subject. There is no spot upon this earth in which the admonitions and consolations of religion are so much wanted, or in which they are so likely to be efficacious, as in a well regulated prison. I am satisfied that there are many persons in confinement who now endeavour to drive away care by gambling and drinking, who would receive with gratitude, particularly on their first entrance into prison, the notice of a respectable clergyman, especially if he were to mix with his advice and instruction those good offices, which, if he were disposed to devote a portion of his time to the interests of the prisoners, he would have opportunities enough of rendering to them; such a man would find himself able, in many instances, to improve sorrow for present suffering into permanent repentance.

The Committee examined the chaplains of four of the gaols to which their enquiry was extended; in the fifth, the Borough Compter, there is no chapel or chaplain, and it does not appear that any religious duties are performed there. In the other prisons divine service is regularly performed. In Newgate, however, the want of a clerk is found very inconvenient, and the congregation is represented as disorderly; it is observable that none of the keepers of these prisons are in the habit of attending chapel; if it is asked how it happens that men, who appear to be on other points attentive to their duties, should fail in the discharge of this not unimportant part of their duty, I believe the true answer to be, that no person in authority has ever enquired or cared whether they were at chapel or not, and that they prefer, as matter of choice, to go to church with their families, rather than to attend divine service with the convicts. The chaplains of Ludgate, and of the Poultry and Giltspur-street Compters, speak of their communications out of chapel with the prisoners as having been useful, but one of these gentlemen is speaking of the past rather than of the present time, for he is now above seventy years of age, he resides at a distance of fifteen miles from the prison, and he is afflicted with infirmities, which make it impossible for him to remain at night in London, though he comes up to perform the Sunday duty. The ordinary of Newgate appears to consider his duties to be limited to the performance of divine service in the chapel, and to his attendance upon the prisoners under sentence of death. He states in express terms, that he "knows nothing of the state of morals in the gaol," that it is not in his instructions from the City to attend the infirmary, and that he "never knows that any prisoners have been sick until he gets a warning to attend their funeral."

During the visit of the Committee to Newgate, to which I have already alluded, seeing several boys of a tender age, from nine years upwards, whom the considerate humanity of Mr. Newman had separated from the other offenders, I had the curiosity to ask whether they were acquainted with the chaplain of the gaol; they answered that they knew him well, spoke with gratitude of the pains he took to instruct them, and shewed articles of clothing with which they had been supplied by his bounty. I happened to observe to some one who stood near me, that the ordinary had done himself great injustice in his evidence, having expressly told the Committee that he did not consider the instruction of the boys in Newgate as a part of his duty. When I was informed by one of the turnkeys that the person of whom these boys spoke, and concerning whom they naturally supposed me to be enquiring, was not the ordinary; and I found that the individual, for whose kindness these boys were thus grateful, was one of those officious persons whom the ordinary describes with some anger in his evidence as intruding themselves impertinently into the gaol, and "cramming the prisoners" (to use Dr. Ford's own phrase) "with prayers and preaching." Before I quit this subject I should mention, in justice to the city of London, that the salary and emoluments of their chaplains are upon a much more liberal scale than those of the chaplains in any gaol with which I am acquainted; the evil is, that no notice is taken of the manner in which the duties are performed.

There is one of the prisons belonging to the City which stands upon a different footing from the rest, namely, the Borough Compter, in which are confined debtors (principally those in execution by process from the court of conscience) and persons detained for a day or two on criminal charges, before they are fully committed to some other prison to take their trial. This gaol is locally situated in Southwark, and is under the management of the bailiff of the Borough.

The disgraceful state in which this prison was previous to the month of March last, when directions were given to repair it, may be seen in the Report on the table. In April last the allowances to the prisoners, particularly the allowance of food, which consisted before that time of nothing more than a two-penny loaf per day, received a considerable addition, by an order made by the lord mayor, in consequence of the examination which had taken place before the Committee of this House. There is, however, one material evil which has not been corrected, and which, I therefore presume, it is not in the power of the City to correct without the assistance of the legislature; the gaoler has no salary, but is remunerated for his trouble by an appointment to another office, the execution of which is not consistent with a due performance of his duties as gaoler.

I come now to the consideration of the remedy which it may be proper to apply to the state of these gaols. It would be difficult to enter in an act of parliament into the detail of regulations to be observed in several distinct prisons, containing within their walls many different descriptions of prisoners, and I am therefore disposed to limit my view, upon the present occasion, to the establishment of an improved system of superintendence and inspection. The appointment of the officers of the gaol, (with the concurrence, I presume, of the sheriff, in the case of the keepers) and the power of ordering supplies for the use of the prisoners, are in the court of aldermen; the repairs of the buildings are executed under the direction of a committee of the common council, known by the name of the committee of city lands; the aldermen visit the gaols individually as magistrates, and occasionally give verbal directions there.

I have been told, that this Bill is unnecessary, for that an arrangement may be made in the court of aldermen for three of their body to visit these gaols for three months, who may then retire, to be replaced by three others in their turn, so that all the aldermen may execute this duty of visiting the prisons in rotation. I cannot say that I see in this arrangement any promise of material improvement in the state of the gaols. To say nothing of other defects in this scheme, what uniformity of management can be expected in these prisons, if all those who superintend them shall be changed every three months, and shall then remain disconnected from them for the next year or two before they return again into office?

I am satisfied that the prisons of London will never be on a proper footing, unless the City shall be compelled to manage them by a committee, appointed for that special object;—meeting, for that purpose, on the spot, (at least at the principal gaols) from time to time,—with a secretary to keep regular minutes and records of its proceedings,—appointing and removing (with the concurrence of the sheriffs as far as may be necessary) the officers of the prisons—with full authority to order all necessary repairs and supplies of every kind, and, in a word, to exercise all the powers and functions now vested in any part of the corporation on this subject.

The nomination of such a committee would at least give the public the satisfaction of having some persons responsible, in character, for the good conduct of the gaols. If a letter should be addressed to such a committee by a respectable individual, (like the late Mr. Neild) who, on visiting one of the city prisons, should find the prisoners in a state of distress and misery calling for relief, such a letter must be noticed by a committee of this description, which was not the case when Mr. Neild wrote to the lord mayor in 1804, giving him a detailed account of the then state of the Borough compter. Such a committee would be able, in all cases of emergency, to act without delay; if for instance it should ever happen that a vessel, laden with rugs for the use of the prisoners, should be frozen up in a canal on its passage, such a committee would not think it necessary to wait until a thaw should come to set free the vessel, (diminishing possibly at the same time, in some degree, the occasion for the rugs) but would probably find means to procure a supply of bedding in London before the end of the cold weather. If a committee of this description had existed some years ago, it is more than probable that many glaring defects in the construction of the new gaol, now building, would have been avoided.

It only remains for me to state of what description of persons, in my view of the subject, this committee should be composed; it would of course be appointed by the same authority by which the other committees for conducting the business of the City are nominated.

I hope it will not be imputed to me that I cast any censure upon the aldermen of the city of London, or intend any disrespect to them, when I say that, in my judgment, this committee should consist, in part, of other persons besides the members of their body, who may be placed in it. The aldermen are twenty-six in number, they are in general gentlemen much engaged in the active pursuits and business of life, on their own private account, and they have, as we all know, in their public character, very important and arduous duties to perform. The extension of the circle of those from amongst whom this committee should be chosen, by making the deputies and common councilmen of the several wards, consisting of two hundred and thirty-six individuals, eligible to sit upon it, would very much increase the facility of procuring an efficient committee.

This is the general outline of the plan which has suggested itself to my mind upon the present occasion; I do not, however, doubt but that any Bill which shall be brought in, upon a matter of such general interest as that now under consideration, will receive improvement in its progress through the House.

I trust the House will not refuse to entertain a Bill upon this subject. The prisoners, whose condition I seek to improve, are not all criminal; a large proportion of them, the debtors, and some at least of those committed for trial, are only unfortunate; of such as are criminal, all have not offended in the same degree; and even those who are the least entitled to compassion, those who, by the magnitude of their offences, have forfeited their lives to the law, have nevertheless a right to receive from it in prison, until it shall exact the forfeit, sufficient sustenance and protection.

I can hardly be persuaded, notwithstanding what I have heard on this subject, that the hon. aldermen of the city of London in this House, will oppose the bringing in of a Bill for the better management of their prisons, which will not go to take them out of the hands of the city; they cannot, surely, be jealous of lodging in one of their own committees the power of incurring such expences, on their behalf, as may be necessary to support these prisons on a proper footing. It cannot be the wish of the representatives of the city of London that this great and opulent corporation, with large funds at its disposal for public purposes, the founder of many noble charities, encouraging by liberal donations almost every useful and benevolent institution which has risen up of late years in its neighbourhood, should in its gaols alone be found wanting, and should continue to be far behind the rest of England (which I maintain it now is) in the treatment of its prisoners, and in the general management of its prisons.—The hon. gentleman concluded with moving, "That leave be given to bring in a Bill for the better management of the prisons belonging to the city of London."

Sir *W. Curtis* thought the hon. gentletleman was not borne out in the statement he had made. He wondered much at some parts of it. How were prisoners to be treated? Were they to be indulged with luxuries? Should that be the case, the prisons would be more crowded than at present by idle fellows coming there for the purpose of living well. The hon. member had said, the alderman had opposed enquiry. He for one had supported it. The corporation saw there wanted amendment, and they were endeavouring to effect it. When the new prison was finished, the others would be greatly relieved, which were now too much crowded. The hon. gentleman had objected that no clothing was allowed to the prisoners. He would ask, was it the practice in any prison to do so? If it were, the gaols would never be empty. He was convinced many needy rogues would commit offences on purpose that they might get into prison and be well cloathed. Garnish money he thought should be done away with altogether. As to discipline, what discipline could they employ? They could not flog them if they were disorderly; all they could do was to suspend their allowances, which was always done. If the magistrates of London were not worthy to be entrusted with the charge of the prisoners, they were not worthy of their situations.

Mr. *F. Douglas* could not resist paying the unfeigned tribute of his admiration to his hon. friend for the manner in which he had brought this subject forward, and, as a member of the committee, completely confirmed every thing he had stated. He allowed that measures of improvement had been adopted since the report of the committee; but this was the best argument for the Bill, lest when all remembrance of the present discussion was over, things might relapse into their original state.

Mr. Alderman *Atkins* stated, that at one time the gaol of Newgate was so much crowded, in consequence of particular circumstances, that it was impossible the prisoners could be properly accommodated. Had the hon. mover waited till the new prison was finished, and enquired into its regulations, he would have had no cause for dissatisfaction. The hon. alderman seemed to wish that the Bill should for the present be postponed.

Mr. *Bennet* said, that the committee appointed to enquire into the state of the prisons, had found that there was a great want both of food and of fuel in Newgate, but that the management of the keeper was entitled to commendation. To certain questions, put by some members of the committee, it was answered, that the prisoners were not punished when they got drunk, provided they were quiet; and if they were riotous, their friends were excluded: that almost all the prisoners except those extremely hardened, were averse to be present when the condemned sermon was preached, and those who were religiously disposed were kept away from attendance in the chapel for fear of exposure. The hon. gentleman expressed himself clearly in favour of the Bill.

Sir *James Shaw* contended, that as the jail was calculated to hold only 400 persons, the presence in it of near double that number must be attended with some disorder. He had no difficulty in saying, that in his humble opinion, as soon as the new jail should be completed, that disorder would be removed. He had himself stated to the hon. gentleman who had moved for leave to bring in this Bill, the extreme anxiety of the court of aldermen to do every thing in their power to remedy the evils complained of. It was their intention to order that all prisoners discharged by the magistrates, or discharged in consequence of no Bill having been found against them, should be exempt from the payment of fees; that regular reports should be made by the sheriffs to the lord mayor, of the state of the prison; that the custom of garnish should be abolished; that the keepers of the prisons should be paid handsomely in money, &c. He was persuaded that the keepers of all the prisons were very solicitous to prevent intoxication from taking place in them. Persons attempting to introduce spirits were heavily fined. As for the body out of which the hon. gentleman proposed that the committee of management should be appointed, he entertained the highest respect for them, but he asked what reason there appeared to be for suspecting that those to whom that duty was at present entrusted would not punctually fulfil it? If the committee would but point out what they thought ought to be done, he pledged himself that the court of aldermen would do every thing that was right and proper on the subject.

Mr. *Phillips* observed, that if the magistrates, with their present authority, were competent to remedy the evils complained of, it was strange they had not done so before the presentation of the report of the committee. He denied the probability that the new jail would remedy those evils. It appeared to him to be very inferior to many buildings in the country of a similar description. It was not even fire proof, and was so confined, that it seemed intended to prevent, rather than to admit, the free circulation of air.

Mr. *Wrottesley* declared, that the feeling and eloquence of his hon. friend had made an impression on his mind, and evidently also on the mind of the House, that would not speedily be effaced. He had heard nothing on the other side which had not confirmed his opinion of the absolute necessity of some legislative measure.

Mr Alderman *C. Smith* would not oppose the motion, although he was persuaded that the report was overcharged.

Mr. *Holme Sumner* related the history of a visit which he had paid to Newgate five years ago, at which period great disorders prevailed in that prison. He thought there was great ground for parliamentary interference; and, adverting to the new jail, condemned the mode of its construction, and expressed his hope that before it was opened, the House would appoint a committee to examine into its fitness, and into the way in which the money had been expended in its erection.

Mr. *P. Moore*, although he approved of the Bill, highly applauded the liberal manner in which the four members for the city had met the discussion. A great remedy for the evils complained of would be found in the diminution of the number of prisoners, which the restoration of peace would naturally occasion.

Mr. *Horner* did not think that his hon. friend had duly considered the effects of peace upon the morals of the country. The object of the present Bill was not censure, but reformation. As to general pledges that might be held out, experience had shewn how they had been redeemed. There was a resolution of the common council in 1810, prohibiting the exaction of fees from prisoners who had been acquitted, which resolution had never been enforced, nor a single step taken to enforce it. There was also another resolution against lunatics being confined in Newgate, and four lunatics were at present confined in it. A larger gaol would not cure many of the evils; as, for example, the conduct of the ordinary of Newgate, in the discharge, or rather in the neglect, of his duty, which discovered a total want of feeling and principle. His examination before the committee was more like the boasting of a buffoon than the gravity of his sacred character. Such conduct ought to have been known to the city magistrates, and to have met with merited reprehension. Among the answers which he gave to the committee, when he was asked about the state of morals in the prison, he said he knew nothing about it. He was asked whether he did not attend the prisoners when they were sick, for the purpose of giving religious consolation? His answer was, that he never knew when they were sick, and was not called upon to attend until their funeral. Such answers appeared to shew a depravity of morals, that was more like to injure than to improve the morals of a prison.

Sir *W. Curtis* said that the court of aldermen had never seen the report till this day. He must confess, that some things which were now stated from the report deserved the greatest reprehension, and would doubtless have met with it, if they had been known to exist.

Mr. *H. Thornton* gave his thanks to the hon. mover who had brought this question forward in so able a manner. The prison in Southwark, also, required much more attention than had hitherto been paid to it. It seemed from its situation to have escaped the attention both of the magistrates of Surrey and of the city magistrates. Representations had been formerly made upon this subject, but they were all ineffectual.

Leave was then given to bring in the Bill.

TREATY OF PEACE WITH FRANCE.] Lord *Castlereagh* rose and said, that pursuant to an intimation which he had given last week of postponing the discussion of the Treaty of Peace with France to an early day in the ensuing one, he should now propose, if it met with the approbation of the House, to fix next Thursday week for that discussion. He was anxious not to defer it to a later period, as he was unwilling to interpose any thing which might protract the session to an inconvenient length.

Mr. *Whitbread* observed that, considering the very extraordinary state of dissipation, (he did not use the word invidiously) in which the metropolis was at present, he wished to submit it to the noble lord, whether it would not be better to postpone, not only the particular discussion in question, but every one of importance, till all the necessary honours had been shewn to the illustrious personages now among us. He understood that they were likely, after Monday next, to take their departure; but then there was to be the grand review at Portsmouth, which he supposed would draw away many members of that House. In short, what with dinners one day, suppers another, and processions another, it was hardly possible to calculate upon such an attendance of members as might be desirable for the discussion of great public questions, and he would therefore suggest the propriety of postponing them all over next week. While he was up, he would put another question to the noble lord, to save him the the trouble of rising a second time. He wished to know whether it was the noble lord's intention to produce a most extraordinary Treaty, which he had seen in a paper of that day, concluded with the person who, it appeared, was still to be called the emperor Napoleon, and to which this country had been a party? With regard to the other Treaty, which he had before alluded to, as he was actuated by no spirit of idle curiosity, but a désire to possess the fullest information in making up his mind upon the merits of the peace itself, he should certainly move an address to the Prince Regent for its production. He feared that in doing so, it would prove but a mere matter of form, though feeling it to be his duty, it certainly was his intention to persevere.

Lord *Castlereagh* expressed his willingness to postpone the discussion, and fixed Monday week as the day for going into it. With respect to the particular treaty alluded to by the hon. member, he certainly had no objection to producing so much of it, both as to what had been rejected, and what acceded to, as we had any concern with, it being no treaty of ours.

ARMY PRIZE MONEY BILL.] Mr. *Long* rose to move for leave to bring in a Bill, for the better regulation of army prize money, and to provide for the payment of unclaimed and forfeited shares to Chelsea Hospital. He preceded his motion, by urging the necessity at the present, more than at any former period, of carefully securing to the soldier the emoluments which he had so well earned and so gloriously won. He enumerated the difficulties which often impeded the real owner in the prosecution of his claims, owing to the many unaccredited agency channels through which the applications were made. Many regulations, however, had been made to correct those interpositions, in proof of which he had to state, that since 1809, the paymaster-general had received from various prize agents 365,000*l.* out of which 28,024*l.* had been applied to several claimants, and 104,000*l.* refunded in a similar manner—a balance remained of 163,000*l.* which was vested in the 3 per cent. consols, in Exchequer Bills, and in the Bank of England. One of the new regulations which he meant to submit was, that of making substituted agents answerable to the proper authorities, as well as their principals. Another was, to require at stated times, from the registrar of the Admiralty and Vice-Admiralty-court, a report of the sums in their respective hands, and of Chelsea-Hospital the same. Also, that all the several acts hitherto passed for those regulations should be consolidated into one, with a view to their more perfect elucidation, and for the purpose of at once giving to the subject the consideration to which it was entitled.

Mr. *Horner* suggested a clause for the security of those sums which, though not hitherto claimed, perhaps owing to some impracticability, would yet now be called for on the return of a number of persons at the termination of the war.

Mr. *Long* had no objection; his only object being the better security to the public, of whatever amount remained at a certain time unreclaimed.

Sir *J. Newport* begged to submit the necessity of establishing an office in Ireland for the adjustment of this branch of the public service: an intermediate and authentic regulation of this kind was actually necessary. To his own knowledge considerable mal-practices prevailed, owing to the ignorant confidence of poor persons, who had placed their papers in the hands of designing men, who not only recovered sums of money, which they afterwards withheld, but also detained the papers to the great injury of persons so confiding in them.

Mr. *Rose* concurred in the right hon. baronet's observations.

Mr. *Babington* enquired whether any relief was intended for those persons who were unacquainted with the particular description of the captures in which they had served.

Mr *Long* could not see how it was possible to effect such an object, if the parties were unprepared with the necessary information.

Mr. *Babington* observed, that in the sea service he understood a regulation of that description existed; therefore why not extend it to the land?

Sir *C. Pole* earnestly hoped that the treasurer of the navy would not allow the present session to pass without the introduction of a Bill to regulate West India prizes. A Bill was already in preparation for that purpose, which was not rendered less necessary by the peace.

Mr. *Rose* informed the hon. member, he hoped on Monday to be enabled to meet his wishes on this point, particularly with reference to some regulations for Barbadoes and Antigua.

Leave was given to bring in the Bill.

MADHOUSES' BILL.] Mr. *Rose* begged to postpone, until Monday next, the consideration of the report on this Bill.

Mr. *Bennet* suggested the necessity, in the absence of many members, of deferring the consideration until the next session.

Mr. *Rose* said, the Bill had been introduced last year, and had been amply considered in a committee up stairs, who were unanimous for its adoption. It had also been printed and transmitted widely throughout the country. If the hon. member really knew the horrible and barbarous cruelties which were inflicted in those asylums, he would unite with him for the most speedy application of a remedy; he was, therefore, against postponing the Bill beyond Monday.

Mr. *Wilberforce* lamented his inability to have attended the committee, in which his right hon. friend (Mr. Rose) had so much distinguished himself by the introduction of this measure to the consideration of parliament.

Mr. *Thompson* was strongly in favour of an immediate discussion, and complimented the right hon. gentleman upon his diligent pursuit of so humane an object. The Bill was actually necessary. He had closely inspected several of the lunatic asylums, and had ocular demonstration of the abusive practices which, in many of them, prevailed. It was high time that those neglected places should be visited by proper inspectors. In York, particularly, great abuse was apparent. The hon. member concluded by hoping, that no exemption from visitation, such as that claimed for Bethlem-hospital, should under any circumstances be allowed.

Mr. *Bennet*, when he wished for delay, begged to express his assent to the principle of the Bill, and also to admit his sense of its necessity.

Mr. *Whitbread* gave the fullest credit to the right hon. framer of the Bill, whose exertions and candour in uniting with others in the pursuit of this object did him great honour. He was however free to say that the Bill was not fit to pass in its present shape; at the same time a sweeping condemnation of it was wholly unnecessary. The hon. member proceeded to state, that he had visited a vast number of those asylums; he was glad when allusion had been made to an exemption claimed by one of the principal ones in the metropolis, (Bethlem) the name was mentioned, because it prevented the possibility of any imputation attaching to another great establishment (St. Luke's) of which he was a governor, and which he could assure the House was managed throughout all its departments in the best possible manner. It was but candid to add, that in many of the private houses for the reception of this unfortunate class of society, great humanity prevailed. It became therefore necessary to shield from inculpation those who did their duty in an exemplary manner, in contradistinction to those who had acted with unnecessary harshness. Many evils were already removed under the prospect of this Bill; and although in some cases an officious interference with the experience of an establishment might follow the adoption of the unrestricted right of visitation, its operation would yet be salutary; and he would recommend to the governors of St. Luke's, the best regulated establishment in the empire, to give no objection upon that point, lest the precedent should be drawn into an injurious operation.

Mr. *Shaw Lefevre* was for postponing the Bill until next session: it already had done much good, and would still effect more; they could therefore safely await more ample information.

Mr. *W. Smith* concurred in the praise which the right hon. mover of the Bill had so fairly earned. He agreed with his hon. friend upon the proper statement of the management of St. Luke's; there was yet some room for improvement, though no abuse certainly existed; the want of classification, the mode of confinement, &c. were open to amelioration. The Petition from Bethlem, to say the least of it, was injudicious. Great abuse and mismanagement certainly occurred in that and many other establishments, which ought not to remain unredressed. He alluded, in strong terms of reprobation, to the case of a man in Bedlam, who had attempted the life of his keepers twice, and who had been in consequence confined to his bed in irons, for 13 years, though he had long and frequent lucid intervals. In answer to a question from Mr. Alderman Smith, Mr. W. Smith said, that the man was confined with an iron ring round his neck, with another round his body, fastening him to his bed, and with the same round his wrists and legs.

Sir *W. Curtis* spoke in favour of the measure, and thought that none of those places of confinement should be exempted from inspection.

Mr. *H. Sumner* confirmed the statement of Mr. W. Smith respecting the case of Norris, and observed that though he had been thus confined for 13 years, yet, in consequence of the visit of himself and some other members of the House of Commons to Bedlam, the greater part of his irons were struck off, retaining nothing but a collar round the neck. He would ask, therefore, if that iron frame in which he was confined, was found to be unnecessary, immediately some enquiries were made about it, why it had been retained so long? He had also paid a visit to St. Luke's, the system of which he considered as greatly superior to that of Bedlam, and seemed to him to approach perfection as nearly, perhaps, as any system of that kind could.

The report was then ordered to be taken into further consideration on Monday next.

## HOUSE OF COMMONS.

*Wednesday, June 15.*

GAOL FEES' ABOLITION BILL.] Mr. *Bennet* moved for leave to bring in a Bill for the abolition of gaol and other fees, connected with the gaols in the United Kingdom. He adverted to the Acts passed on this subject in the 23d of Charles 2, and the 32d of George 2. In a large number of gaols, and even of county gaols, no table of fees was kept. In others the greatest irregularity prevailed. In some these fees were very exorbitant, and it often happened that the prisoners were compelled to sell their clothes and bedding in order to pay their fees. The hon. member then described the state of our gaols in general, as requiring regulation and improvement. He mentioned two in particular, those of Rockingham, and Halifax, in Yorkshire; the former was totally out of repair, and spirituous liquors were publicly hung up for sale in the face of two Acts of parliament; in both, the prisoners were without fire, and almost without food and clothing.

Sir *James Shaw* thought it would be proper to fix the quantum of clothing, food, &c. to be provided in these cases. He was apprehensive, that from the improvements about to be introduced by parliament into the city of London prisons, they might be over-crowded and inconvenienced, if similar improvements were not adopted with respect to the gaols in the vicinity of the metropolis.

Sir *John Newport* ridiculed the idea which seemed to be entertained by some gentlemen, of persons seeking an asylum in these places for the comforts to be found in them.

Mr. *Thompson* lamented the state in which many of our prisons were at present known to be kept.

Leave was given to bring in this Bill.

Fees of Office.] Sir *John Newport* expressed his dissatisfaction that no return of the Fees of Office had been made by any but the deputy registrar of the Court of Chancery; and declared his determination to move, that a general order should be made for all the persons whose duty it was to make out the returns for the different courts, to appear at the bar of the House to-morrow.

Lord *Castlereagh* excused the delay which had taken place, on account of the difficulty in ascertaining the amount of fees for so long a period as the last twenty years, many of the persons having died in the interval. He hoped, however, the right hon. gentleman would not persist in his motion to bring the clerks of court to the bar of the House, as he believed they were hard at work in executing the business he had provided for them.

Sir *John Newport* stated the object of his motion to have been, not to ascertain the amount of fees received, but the amount of the augmentation. He should not, however, persist in the motion of which he had just given notice.

Slave Trade.] Mr. *Wilberforce* expressed his intention of bringing forward a motion on the article in the late Treaty with France, relative to the Slave Trade, on Monday next.

Lord *Castlereagh* observed, that as Monday was one of the days which had been appropriated to amusement in another place, he was afraid it would not be possible to go into the details of the subject, or to come to a satisfactory conclusion on that day, without interfering with arrangements out of the House. Thursday or Friday in the next week, as far as he was aware, were not liable to any such objection.

Mr. *Wilberforce* objected to fixing his motion for the latter end of the week, on account of the probable thin attendance of members. Perhaps his noble friend would consent to postpone the general consideration of the Treaty to Tuesday or Wednesday se'nnight, and to have the particular clause relating to the African Slave Trade brought forward on Monday se'nnight.

Lord *Castlereagh* said, it was painful to him to put off the general question of the Treaty any longer than Monday se'nnight.

Mr. *Wilberforce* then fixed his motion for the same day, stating, that he should frame it in such a manner as not to render any opposition likely.

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## HOUSE OF LORDS.

*Thursday, June 16.*

Irish Judges' Salaries Bill.] On the motion for the second reading of the Irish Judges Salary Bill, lord Redesdale moved, that it be rejected, because it contained an inaccuracy which it was necessary to rectify.

Earl *Stanhope* approved of the motion. Let, said he, the salaries of the Irish judges and of the English judges also, be advanced, provided no fees be allowed. Nay, let those salaries be even more than those fees could by any means produce, in order to guard against an opinion which had gone forth, that the existence of those fees had served to prevent or impede the improvement of the law. Such an opinion ought not to prevail, and the best way to remove it was, in his judgment, to set aside all fees, and to grant an ample allowance to those who held an office which, when its duties were adequately discharged, entitled them to most liberal compensation.

The Bill was rejected.

GLOUCESTER GAOL.] Earl *Stanhope* said, that he felt great pain, and he said so without affectation, at being obliged to present any petition complaining of gross oppression. The only alleviation of that regret arose from the hope that much good might be done by investigation. He had now a petition to present complaining of oppression in the gaoler of Gloucester from a prisoner for debt of the name of Perryn. The petition alledged that the gaoler had denied access to his legal adviser. He had informed the gaoler that he wished to consult a solicitor about the wording of a petition which he intended to have presented to their lordships' House. The gaoler refused to allow the solicitor access to the prisoner. This was so strange an allegation that he had doubts at first whether it was correct. He enquired from the person who brought the petition, who was the legal adviser; but the person was very unwilling to state this, on account of what was called the system of terror in the gaol. But he had contrived to get the proper information: he found that it was a respectable attorney at Gloucester, and wrote to him, desiring him to call again at the prison, and request to be admitted to see the debtor. The attorney wrote in reply, that he had called, and had, as had often happened before, been refused admission. By what authority did the gaoler refuse? It was impossible to say, even as the law now stood, that such conduct was legal. The petition stated another fact, that the whole of the most private correspondence of the prisoners, debtors as well as others, was examined by the gaoler, who took upon him to open all their letters. This was another circumstance so strange, that one could not but have some doubts about the correctness of this allegation. But he had it under the hand of one of the magistrates, writing about another petition, that such was the common custom of the gaol, although it had been dispensed with in one instance, when a prisoner wrote to him as a member of their lordships' House, and dared the gaoler to open it. This was clearly illegal. Though one who presented a petition was not answerable for the allegations, yet he should be sorry to present one of which the allegations were unfounded, as the petition, when received, was entered on the Journals for ever, and the individual might be injured. But two of the allegations here were made out to his satisfaction. The petition was then presented and read. It was signed by John Perryn, and stated, that the petitioner became bail for a person who was indicted for an assault; who, having gone abroad, was detained as a prisoner of war, and the petitioner forfeited his recognizance, and being sued for the amount, he was committed to prison for the debt. He was confined in a solitary cell, without pen, ink, or paper, during the day; and in the night was thrust among those who were imprisoned for felonies and criminal offences; that he and the rest of the prisoners were refused knives and forks; and thus man, the image of his Maker, was forced to eat his meat like the brutes of the field. They were not allowed to speak to their friends, but in the presence of a turnkey, and then only for a short period, through a square hole. That their wives and children were treated in the same manner, and were deterred from going to see them, as they were used so roughly by the turnkeys and officers of the prison. Their letters were opened, and they had not the liberty of stating their grievances; they had nothing allowed to drink but water, and even a Roman Catholic clergyman had been refused admission to persons of that persuasion. The petitioner concluded by praying their lordships to take the grievances of himself and his fellow-prisoners into their serious consideration.

The *Lord Chancellor* said, that it might be fitting, considering the impression which such a statement was calculated to make, to say that he understood the magistrates of Gloucester deserved great credit for the condition of their gaol, and that the gaoler was one of the best officers in his situation in Great Britain. There might be a regulation of the magistrates about letters which might possibly be wrong, but the blame could not at any rate attach to the gaoler.

Earl *Stanhope* quoted a letter which he had received from one of the most respectable magistrates at Gloucester, conveying an opposite impression to that stated by the learned lord. This magistrate, indeed, in vain advised the gaoler to let the petitioner's letter to him be sent without examination or interruption. It was also to be observed, that there was no rule or authority from the magistrates relative to the opening or interception of letters to or from prisoners. In fact, no such rule could be legal. Therefore the gaoler did that which was contrary to law, and which the magistrates never sanctioned.

The Petition was ordered to lie on the table.

## HOUSE OF COMMONS.

*Thursday, June 16.*

Poor Settlement Bill.] Sir *Egerton Brydges* moved the order of the day for taking the report of the Poor Settlement Bill into further consideration.

Mr. *Leigh Keck* wished the hon. baronet to postpone the farther consideration of the Bill till next session. It went to alter the whole law of settlement, and yet it was only this morning that it was put into the hands of members. A more imperfect Bill he had never seen. It went materially to affect the agricultural labourer, and was fraught with inhumanity to the poorer classes in general. There were two or three good clauses in the Bill, but these, though without the direct sanction of the legislature, were already carried into effect by the county magistrates. He wished the Bill to be circulated for their inspection and approbation. Time was absolutely necessary for a further consideration of its provisions. He should, therefore move that it be taken into farther consideration this day three months.

Mr. *Thompson* approved of going into the discussion of the Bill. He thought if the last speaker had had more time to examine its contents, he would have entertained a better opinion of it.

Mr. *Atkins Wright* objected to several of the provisions of the Bill.

Mr. *Davenport* was for the postponement.

Mr. *John Smith* did not think it necessary to let the Bill stand over till next session, but he thought some farther time for consideration would be advantageous.

Mr. *Shaw Le Fevre* was for postponing the consideration of the Bill altogether till next session. In two or three weeks most of the country gentlemen, who generally took the onus of such questions upon them, would be out of town. He thought the hon. baronet's Bill had met with great lenity from the House, it had been so often altered as to be scarcely known for the same Bill, and in its present state it had not been twelve hours in the possession of the House.

Sir *S. Romilly* thought the term lenity had been exceeding ill applied to the treatment of the hon. baronet's Bill. He was well entitled to the gratitude of the House. Though all the clauses in it might not be equally beneficial, yet the good so far preponderated over that which was doubtful, as to induce him to vote for it in its present state. There were two clauses in the Bill of which he entirely approved, that which prevented the removal of paupers as soon as they became chargeable to the parish, and also the provision for affording medical assistance. The clause which raised the rate of settlement from 10 to 20*l.* appeared to him the most objectionable, as well as contrary to the general spirit of the Bill, every thing in which tended to facilitate the settlement of the poor.

Mr. *Stuart Wortley* objected to the double clause relating to settlement, which he thought would lead to much litigation. He agreed in what had fallen from the last speaker respecting the increased rate of settlement.

Lord *Milton* agreed with the hon. and learned gentleman (sir S. Romilly) in his objections to the clause altering the rate of settlement. He approved of the Bill, which he thought would materially diminish the poors' rates of the country.

Mr. *Whitbread* rose for the purpose of expressing his general approbation of the Bill. He was surprised at the terms in which it had been spoken of by an hon. member. He suggested the propriety of bringing forward the different provisions of the Bill, point by point, as there were several, he was confident, which would meet the unanimous concurrence of the House. One in particular was that relating to medical aid. If, however, the hon. baronet pressed the general question to a division, he should certainly divide with him.

Mr. *W. Smith* did not see why those parts of the Bill which seemed to be universally approved of, should not now pass into a law.

Sir *Egerton Brydges* confessed that he should have felt overwhelmed by the many objections which were at first made to his Bill, if he had not been cheered by the encouragement and approbation of other gentlemen, who had spoken later in the debate, and for whose opinions he felt the highest deference. He was by their concurrence convinced that his Bill was not quite so stupid or absurd as it had been represented, and that he was not guilty of the precipitation, or of something worse than precipitation, of which he had been accused, in bringing it forward. He was, indeed, induced to hope, that he might be indulged in going into the Committee on the Bill. If there were objectionable parts in it, they might there be thrown out. There were two features in it, which he thought highly important—1. The clause which ordered temporary relief without removal; and 2. That which made the real parish of the pauper responsible for the reimbursement of the expences incurred by that, in which he immediately resided. These two clauses alone would prevent a great deal of suffering to the poor, and a great deal of expence to the parishes in litigation and removals, and he could not consent to defer the benefits which he promised himself in these respects for nine or ten months longer. The frequent alterations in the Bill, of which an hon. member had complained rather harshly, did not go to affect any one of its objects or principles, but were merely technical. After the struggle he had made, after the time and pains which he had bestowed upon the subject, which had occupied his mind night and day, he trusted he should not be thought guilty of stupid pertinacity in adhering to his original motion, or even if he failed in that to-night, he should never lose sight of his object as long as he had the honour of a seat in that House.

After a few words from Mr. Shaw Le Fevre, in the way of explanation, disclaiming any intentional severity in what he had said, sir E. Brydges consented to withdraw all those clauses from the Bill to which any objection had been made.

Mr. *Leigh Keck*, upon the understanding that the objectionable clauses were to be omitted, withdrew his amendment. The original question was then put and carried in the affirmative, upon which,

Sir *J. Newport* moved that the Bill should be re-committed.

Lord *Milton* thought that before they went into the committee, the House should be informed what clauses it was intended to retain and what to dispense with. It would be better, he apprehended, to leave out every clause to which any objection had been made. The last clause, being entirely foreign to the Bill, would of course be omitted.

Sir *E. Brydges* said that he certainly meant to withdraw all the clauses which had been deemed exceptionable, but reserving to himself the right to press the omitted clauses, at any future period, upon the attention of parliament.

The House then resolved itself into a Committee, when the several objectionable clauses were withdrawn, and various amendments suggested with respect to the remaining ones, some of which were adopted. The Report was forthwith received, the further consideration of it fixed for Friday se'nnight, and the Bill ordered to be printed.

PRINCESS OF WALES.] Mr. *Arbuthnot*, seeing in his place an hon. gentleman who had given notice of a motion for to-morrow relative to her royal highness the Princess of Wales, begged leave, in the name of a noble friend of his, to say that his noble friend, understanding that it was not intended, under the present circumstances, to press any business of importance, had communicated that intention to many hon. members of the House, and he, therefore, begged leave to request the hon. gentleman to postpone his motion.

Mr. *Methuen* declared that he should be most happy if the requested delay were of an auspicious nature. He was sure, indeed, that any delay must be favourable to the object which he had in view, because the more the subject was considered, the more evident would the necessity appear for doing something to ameliorate the situation of her royal highness, by affording her an allowance more adequate to her rank, and placing her in other respects in a condition different from that in which she now found herself. He had no objection whatever to postpone his motion to Monday.

Mr. *Whitbread* reminded the hon. gentleman that Monday was a day fixed for a motion by an hon. gentleman on the abolition of the slave trade. Although he need not say that he partook of the hon. gentleman's sentiments as to the hope that any delay might prove auspicious, yet he must observe, that it was a subject which would not admit of much delay. It would be highly improper to delay the motion until after the next drawing-room. He did not see why the hon. member might not take possession of Monday, that if the hon. member for Bramber should not bring forward his motion he might proceed with that of which he had given notice.

Mr. *Arbuthnot* suggested Tuesday:

Mr. *Tierney* protested against postponing the motion from to-morrow. It did not appear to him to be at all necessary to the accommodation of the royal and illustrious personages now in the country, that the chief ministers of the crown should be running about with them whithersoever they went. Holidays had been given on the occasion to most of the public schools, and now it seemed a holiday was to be given to parliament. What necessity was there, because the merchants of London thought proper, very handsomely and munificently, to give a dinner to the royal strangers, that the noble lord should withhold his attendance from that House? The subject about to be brought forward by the hon. gentleman was one of the most important that for many years had been agitated in parliament, and he contended that it ought not to be treated in such a way as must render all due discussion of it impossible. On Tuesday the review at Portsmouth would take place, and after that, other occupations of a similar kind; so that if the hon. gentleman's motion was not brought on by Monday next, it must be put off until the week after next, and he should be glad to know what attendance was then to be expected in parliament.

Mr. *Arbuthnot* denied having stated as a motive for postponing the motion, any engagement of his noble friend. What he had said was, that imagining no business of importance was to be discussed under the present circumstances, his noble friend had signified that understanding to many honourable persons.

Mr. *Calcraft* thought it would be expedient to defer the discussion of the subject until the week after next. He differed altogether from his right hon. friend, in supposing that the attendance would then be thin. On the contrary, as there were so many great questions to be considered, he was persuaded that the attendance would be full.

Mr. *Whitbread* observed, that the motion to be made by the hon. gentleman, although extremely important in its nature, was not likely to extend to such a length of discussion as that respecting the abolition of the slave trade; why not, therefore, fix it for Monday, in order that should the hon. member for Bramber not persevere in his motion, the hon. gentleman might bring his forward?

Mr. *Calcraft* deprecated the uncertainty which would be produced by letting both the motions stand for the same day. He was happy to see the hon. member who had given notice of the motion respecting the abolition of the slave trade in his place, and he would take the liberty to intreat him to postpone his notice.

Mr. *Wilberforce* said, it certainly had been his intention to bring forward his motion on Monday. He was extremely desirous to do so, and he knew it would be exceedingly inconvenient to many hon. members if he did not. When he had given the notice he had observed, that he did not think the motion was likely to lead to much length of discussion, but that if it did, he should have no objection to adjourn it. Under these circumstances he undoubtedly wished to bring it forward; but he would be the last man in the world to stand in the way of any other arrangement which the House might deem expedient.

Mr. *Methuen* expressed his anxiety to meet the general wishes of the House. If by any temporary delay it were to be supposed that his motion would go off entirely, nothing on earth would tempt him to postpone it for a single day; and he would not now consent to defer it until it was distinctly understood that it should be duly discussed, unless such arrangements should happily take place as might render that discussion unnecessary.

Mr. *Tierney* thought that the noble lord who was in the House yesterday, when the conversation took place between the secretary at war and himself respecting the postponement of the army estimates, might have taken the opportunity of saying that which he had now sent down the right hon. gentleman to say for him. If the hon. gentleman's motion was not brought on to-morrow, it could not be brought on for a considerable time. On Monday se'nnight the treaty of peace was to be discussed. On Tuesday, after the long debate of the preceding night, not much attention could be expected to another question. For Wednesday it was well known that questions of great public importance were always fixed. He implored the hon. gentleman to press his motion to-morrow. It was the day for which he had originally given his notice; it was the day on all accounts the most proper. If the noble lord, whose request had been made by the right hon. gentleman, had, in the most distant manner, hinted that it was the intention of his Majesty's ministers to take the pleasure of his royal highness the Prince Regent on the important and interesting subject which the hon. gentleman meant to bring before the House, he should be one of the first to recommend him to abstain from his motion; but as nothing of the kind had taken place, he begged of him not to be a party to any procrastination.

The *Speaker* said, that the hon. gentleman was master of his own notice. He must choose for himself, and make that choice known to the House.

Mr. Methuen then fixed Tuesday for his motion.

## HOUSE OF COMMONS.

### *Friday, June* 17.

IRISH LOAN.] The House having gone into a committee of ways and means,

Mr. *Fitzgerald* rose to state the terms of the loan of 3,000,000*l.* made in Ireland. He observed that he did not then intend to occupy the committee with a general view of the finances of Ireland; that his right hon. friend the Chancellor of the Exchequer for England having postponed to a future day his general statement, he would, in order to adopt himself to the usual course, follow him in a similar line with respect to Ireland; but that it was necessary that he should state the loan this day, and hoped its terms were such as would receive their fullest approbation. He then proceeded to state that the loan for 3,000,000*l.* in Ireland, had been contracted for on the following terms—

| | | Interest. | Sinking Fund. | Tot. charge. |
|---|---|---|---|---|
| 90*l.* 9*s.* | 3 per ct. | £3 3 0 | £0 18 0 | £4 1 0 |
| 30*l.* 15*s.* | 4 per ct. | 1 4 7$\frac{1}{5}$ | 0 6 1$\frac{3}{4}$ | 1 10 9 |
| | | £4 7 7$\frac{1}{5}$ | 1 4 1$\frac{3}{4}$ | 5 11 9 |

The charge for interest for money received, being to the public 4*l.* 7*s.* 7*d.* one-fifth per cent. and the total charge for interest and sinking fund only 5*l.* 11*s.* 9*d.* This he would take upon him to say had been the best bargain made for the public for many years, and with the sincerest feelings, he hoped it would prove fairly advantageous to those who had contracted for it; he could not avoid drawing the attention of the committee to the peculiar circumstance, of this being the largest loan ever made in Ireland; that the legal interest in that part of the empire was 6*l.* per cent; that the loan made in England this year was smaller than usual, and much less than had been previously expected; that the legal interest here was but 5 per cent.; and that, though the loan to this country was made on terms admitted by all as eminently advantageous, yet had the loan in Ireland been negociated at 4*s.* 7*d.* less interest per cent, and 7*s.* per cent. less total charge to the public. He hoped, therefore, to meet the full concurrence of the committee to the resolutions which he had to propose thereon, and felt it unnecessary to detain them by any more lengthened statements, reserving himself for any observations which might be made, or any further information which might be demanded on the subject.

The Resolution was then put and agreed to, that a sum not exceeding 3,000,000*l.* be raised by annuities in Ireland, for the service of that country. The Report was ordered to be brought up on Monday.

## HOUSE OF LORDS.

### *Monday, June* 20.

VISIT OF THE KING OF PRUSSIA, MARSHAL BLUCHER, &c. TO THE HOUSE OF PEERS.] From two o'clock till four, many ladies were introduced into the body of the House, and sat upon the peers' benches. There were not many peers present, but most of them had on their robes, and waited the visit of the king of Prussia, the princes of Prussia, and their distinguished attendants. About five o'clock, his Majesty the king of Prussia, attended by his two sons and marshal Blucher, entered the House by the Prince Regent's door, and took his seat on the right of the Prince of Wales's chair. Marshal Blucher stood beside his majesty, and frequently conversed with him. The two royal princes sat near the bench of bishops, on the right of the throne.

The archbishop of Canterbury, the Lord Chancellor, and the marquis of Camden, then took their seats in their robes, as the royal commissioners, on the bench in front of the throne. The Commons being sent for, they shortly appeared at the bar, to a very great number, with the Speaker at their head. The royal assent was then declared, in the usual form, to the Irish Exchequer Bills' Bill; and to a few other Bills of a private or local nature. In a few minutes after the king of Prussia, and some of the royal suite retired.

The Earl of *Liverpool,* adverting to the order, which stood for Thursday, for the consideration of the Treaty of Peace, observed, that it might be inconvenient for many of their lordships to attend on that day. He should therefore move to discharge the present order, and that one should be made for taking the Treaty into consideration on to-morrow se'nnight. This being moved, was accordingly done, and their lordships were ordered to be summoned for Tuesday the 28th.

Earl *Stanhope* rose and said, that as there were then many persons in the House, some good persons too, he should call their attention to a subject of great public importance, which he had introduced on a former evening, namely, the abuses alleged to exist in Gloucester gaol; but as the topic must be new to many who were present, he should move that the Petition of John Perryn be now read. The Clerk was accordingly proceeding to read the Petition, when

Lord *Kenyon* rose and moved the standing order for the exclusion of strangers;—this was enforced, and, consequently, the numerous assemblage of members who still remained below the bar, for the purpose of getting a more distinct view of the illustrious visitants, the ladies who were seated in the body of the House, and the ordinary strangers, were obliged to withdraw.

## HOUSE OF COMMONS.

### *Monday, June 20.*

PETITION OF MR. MORRIS, CONFINED IN LINCOLN GAOL.] Sir Samuel Romilly presented a Petition from Mr. Robert Morris, confined in Lincoln gaol, complaining of various hardships and grievances endured by him therein. The petitioner had been many years confined as a debtor to the crown, but, during the period of his confinement, he had committed a misdemeanor in assaulting one of the turnkeys. For this offence he had been convicted, and was sentenced to one year's close confinement. It happened that this Robert Morris had been one of the principal witnesses against the gaoler of Lincoln castle, when the general regulation and management of that prison was under enquiry by a commission appointed by that House, and now since his conviction, he had become entirely at the mercy of the man he had so deeply offended by his evidence. The consequent hardships he was made to suffer by him constituted the main allegations of the petition. Sir S. Romilly said, he should only move at present, that it should lie on the table, trusting that the magistrates of Lincolnshire, who visited the county gaol, would examine into the merits of the case, and afford redress if it called for redress. Should such not be the case, he reserved to himself the right of bringing the matter forward at any future period.

The Petition was ordered to lie on the table.

CAPTAIN MANBY'S EXPERIMENTS FOR PRESERVING THE LIVES OF SEAMEN.] Mr. *Rose* said, it was his intention to have moved that the House should on this day take into consideration the report of the committee appointed to enquire into the merits of captain Manby's invention for preserving the lives of seamen in cases of shipwreck. The right hon. gentleman then went into a detail of the merits of the invention. Captain Manby had been instructed to examine, for the purpose of discovering those tracts of the coast where his apparatus could be used. After a particular survey, it appeared that it could be used on every part of the coast of the kingdom. It had also been computed that the expence of providing the apparatus at stations all round the island of Great Britain, would not exceed 75,000*l.* He concluded by moving, that the report be referred to the committee of supply, which was ordered accordingly.

THE PRINCESS CHARLOTTE OF WALES.] Sir *M. W. Ridley* rose, and said that, seeing a right hon. gentleman in his place, he was anxious to ask him a question relative to a circumstance of the utmost importance to the interests of this country. He alluded to the intended marriage of her royal highness the Princess Charlotte of Wales with the hereditary Prince of Orange, a record of which intended marriage was already on the Journals of that House. Whenever that question should be brought before parliament, it would, from its extreme importance, necessarily occupy their attention very largely; and he was therefore the more anxious to know, at this advanced period of the session, whether it was the intention of ministers to make any speedy communication to the House upon the subject? (Hear! hear!)

The *Chancellor of the Exchequer* said, he could give no other answer to the question of the hon. baronet than to say, that the ministers of his Royal Highness had received no authority to make any communication to parliament.

Mr. *Whitbread* rose and said, it was impossible the answer they had just heard from the right hon gentleman could satisfy either that House or the country at large. It had been solemnly announced by the Sovereign Prince of the United Netherlands to his own people, that an alliance was about to take place between his son and her royal highness the Princess Charlotte of Wales; and it had been proclaimed by her royal highness the Princess of Wales, in her communication to that House, now entered upon their Journals, that the illustrious heir of the House of Orange had announced himself to her as her future son-in-law. Questions upon this most important subject had been asked from time to time, but they had never been answered: they were uniformly evaded by ministers. But he thought the time was now come when that House should no longer suffer itself to be treated with that disrespect. (Hear, hear!)

Mr. *Bathurst* rose to order. He did not think it exactly right, when ministers had declared they had no commission to make any communication to the House, that a discussion should be prematurely forced on. Such a practice was both inconvenient and irregular.

Mr. *Whitbread* said, that he would put the matter in a shape which would render it regular, by concluding with a motion. He repeated, that the House of Commons had been treated disrespectfully. If ministers, in so important a case, and after such a lapse of time, had no authority to communicate to the House the state of the proceeding, it became the House to interfere, and to address his royal highness the Prince Regent to give authority for such a communication. The right hon. gentleman opposite had not denied that the assertion in her royal highness the Princess of Wales's Letter, of the intended marriage of her royal daughter with the hereditary Prince of Orange, was true. It had, however, been publicly reported, and was as publicly believed, that the intended marriage, which, with the concurrence of his royal highness the Prince Regent, had been so long proceeding, was suddenly at an end. The grounds had even been stated, on which it had terminated; and those grounds were so intimately connected with the question which was to be brought forward by an hon. gentleman to-morrow, that it was of material importance to the House to know the fact; and to be informed, if the intention was put aside, on what grounds that had occurred. It had been generally stated, and it had been generally believed, that circumstances closely connected with the object of the hon. gentleman's motion, were the cause of that which had taken place. It had been stated that day, in the very streets, that her royal highness the Princess Charlotte of Wales had declined any further proceeding in the intended marriage, on account of the situation of her royal mother. (Hear! hear!) If that was the case, it undoubtedly must endear her Royal Highness to every generous and feeling heart. It would prove that the subject on which the House were not to touch, as too delicate for their investigation, had risen to such great political importance, that it might, very possibly, operate to prevent this most beneficial and desirable union. In order to ascertain the fact, the hon. baronet had proposed a question to the right hon. gentleman, which had been very unsatisfactorily evaded. He was sure that the right hon. gentleman and his colleagues could not be disposed to push the discussion of a subject so interesting and important to the close of the session; and nothing was more certain, than that after the business of next week, no great attendance could be expected in parliament. In the hope, therefore, of obtaining satisfactory information; or at least, with the determination that his wish to do so should be recorded in the Journals, he would move, "That an humble Address be presented to his royal highness the Prince Regent, praying, that he would be graciously pleased to acquaint the House, if there was any treaty of marriage on foot between her royal highness the Princess Charlotte of Wales, and the Hereditary Prince of Orange."

Sir *M. W. Ridley* seconded the motion: He had flattered himself, that the answer to the question which he had put to the right hon. gentleman, would have proved satisfactory. As that, unfortunately, had not been the case, he was gratified to find the subject taken up by one who was so much more able to do justice to it than himself. His hon. friend had stated many reasons for expecting that the House would be put in possession of some information on the subject; another, which he (sir M. W. Ridley,) had heard, and which still more convinced him of the expediency of bringing the subject under the consideration of parliament, was the report, that in the event of the marriage taking place, her Royal Highness might be induced to quit the country. This supposition rendered him more than ordinarily anxious that the real state and nature of the whole proceeding should be laid before the House.

Mr. *Stephen* said, that the hon. gentleman (Mr. Whitbread) had redeemed himself from the charge of disorder, by reducing his observations to a formal motion. If every thing that was within the rules of order, was also within the rules of propriety—within the rules of delicacy—within the rules of public decency—then the hon. gentleman's conduct might have been not only orderly, but it might have been delicate, it might have been decent, and for ought he knew, it might have been discreet. But if, in defending himself from the charge of disorder, the hon. gentleman had exposed himself to other imputations—if it should be the opinion of a great majority of the House that he had not exculpated himself from all impropriety, by the mere reduction of his observations into a formal motion, then he (Mr. S.) must regard that motion as the most indiscreet, as the most indelicate, as the most indecent—(Order, order!)

Mr. *Whitbread* spoke to order. There were certain words which he took to be parliamentarily disorderly. He assured the House and the hon. and learned gentleman, that if the words which he had used were such as it was orderly to use in debate, they would not offend him. "Improper," he conceived to be a parliamentary term; but the use of the word "indecent" was, in his opinion, a transgression of the ordinary language of that House. It was a word which, under any circumstances, he would not have applied to the hon. and learned gentleman, and he hoped the House would not allow any hon. gentleman to apply it to him.

Mr. *Stephen* expressed his surprise at the interruption which he had experienced, because he was sure it must be in the memory of every one who heard him, that "indecency" was a charge as often adduced by the other side of the House, against a motion made by their political opponents, as any other. The hon. gentleman had said, that he would not impute indecency to him, and that he trusted, in return, not to be so charged himself. But the fact was, that he had not applied the word "indecency" to the hon. gentleman, but only to his proposition. He certainly was not aware that it was unparliamentary to state that any proposition was improper, was indiscreet, and was indecent; and unless he heard otherwise from the chair, whose instruction he requested on the subject, he should continue to use such terms, as justly applicable to the hon. gentleman's motion.

The *Speaker* observed, that if he had understood the phrase used by the hon. and learned gentleman to be applied personally, he should have thought it highly disorderly: but as simply descriptive of any proposition that might be submitted to the House, it did not appear to him to offend against the laws of parliamentary debate.

Mr. *Whitbread*, on the understanding that the word was not intended to be personal, expressed himself quite satisfied with the Speaker's decision.

Mr. *Stephen* repeated, that his observations were not intended to apply to the hon. gentleman, but to his proposition; which he would again say, was most indiscreet, most indelicate, and most indecent. And this he would assert, not only with regard to the proposition itself, but with regard to some of the circumstances stated by the hon. gentleman in support of it. What the fact was the House knew not. The hon. gentleman assumed it; but was parliament, upon the strength of that assumption, not only to break in upon the sanctity and delicacy of conjugal relation, but also upon all those of a parental nature? As well as being most indelicate, the proposition made by the hon. gentleman, was most wanton; for he himself stated that the intended engagement, which was the object of it, had been relinquished. Would it be to treat rank and sex with respect to drag into public view all the delicate circumstances of a proceeding, which, according to the hon. gentleman's own declaration, was not likely to be completed? What would the hon. gentleman think of such a proposition if it regarded his sister or his daughter? Was it compatible with the attention due to the delicacy of the female character, to expose all the circumstances of an abortive negociation, such as that which the hon. gentleman had described? And this, after it had been distinctly stated by the

Chancellor of the Exchequer, that his Majesty's ministers were authorised not to make any communication to parliament on the subject (hear, hear!). He understood the cause of the cheer from the hon. gentleman opposite. He had inadvertently misplaced a word—he had said, that his Majesty's ministers were authorised not to make any communication, instead of having said that they were not authorised to make any communication. He was not afraid of any such wretched hostility, however clamorous. It would only recoil on those from whom it proceeded. If ever there was a motion which required a regular notice; if ever there was a case in which the House ought to have time for consideration; if ever there was a subject on which ministers should have an opportunity afforded them for digesting their answer, it was the present. It was under the impression of this conviction, that although he saw his right hon. friend, the Chancellor of the Exchequer, preparing to rise, he had ventured to claim the attention of the House. It was most unfair to take his Majesty's ministers in this manner by surprise, and suddenly to place them in a situation of difficulty; for no other purpose than to afford the hon. gentleman a vehicle for observations which it would have been much better he had never uttered.

Mr. *Robinson* was of opinion, that much unnecessary warmth had been exhibited in this discussion—a discussion which took place solely because one hon. gentleman having asked a question, and having been told that his Majesty's ministers were not authorised to make any communication to parliament on the subject, another hon. gentleman thought proper to make a motion relative to a proceeding, of which the House, as a House of Parliament, had no knowledge whatever. If his royal highness the Prince Regent had made any communication to the House on the subject, and if a considerable period had elapsed since that communication, there might be some ground to call on parliament to acquiesce in the hon. gentleman's motion. But as far as he knew, the House, as a House, were not aware even of the existence of such a negociation as that which had been alluded to. No worse reason could possibly be brought forward to induce the House to interfere in such a delicate subject than the stories, which, according to the hon. gentleman, were hawked about the streets with respect to it; except, indeed, it were that singular one described by the hon. baronet as particularly operative upon his mind—namely, the report, that if the marriage were concluded, her Royal Highness would be induced to leave the country. Surely, when it was asserted that the negociation for the marriage was broken off, this last reason for enquiring into the subject became extremely futile and absurd. There could be no necessity for any precipitation or warmth in the business. If the hon. gentleman thought in the present stage of the proceeding (whatever it might be) that it was expedient for parliament to interfere, at least let him give the House time to cool, and ministers, who were responsible for the advice which they might give on the subject, opportunity to afford to it all the consideration which its importance demanded.

Sir *M. W. Ridley* explained. What he had stated was, that he understood, in the event of the marriage having taken place, her Royal Highness would have quitted the country—a circumstance of such importance, that the sooner it was brought forward in parliament the better.

Mr. *Horner* agreed entirely with his hon. friend (Mr. Whitbread) as to the extreme importance of the subject, both as affecting the illustrious character more immediately concerned, and as involving in it some of the greatest interests of the state. But while he agreed with his hon. friend as to the importance of the question, it was impossible for him to deny the truth of what had been said by others as to the propriety of greater deliberation, and an extended notice of the discussion. He was not presumptuous enough to suppose that his hon. friend stood in need of his advice to shape his parliamentary conduct, but he earnestly recommended to him to postpone his motion until the House should be better prepared, and in better temper to discuss it; letting that which had passed stand for a notice, not doubting, that whenever it might be brought forward, he, viewing the subject in the same light as that in which it was seen by his hon. friend, should concur most cordially in his proposition.

Mr. *Whitbread* declared, that there was no one to whose advice he would sooner listen than his hon and learned friend who had just spoken, and no one to whose advice he was less disposed to attend than the hon. and learned gentleman opposite. As to the qualities of moderation, propriety and discretion, he would go to the hon. gentleman opposite (Mr. Robinson) for them; he would go for them to his hon. and learned friend behind him (Mr. Horner); but in his search he would avoid and run out of the way of the hon. and learned gentleman opposite (Mr. Stephen). He would abstain from noticing a word of what had fallen from that hon. and learned gentleman. He wished to forget it; but he could assure him that he did not care a straw about it. With respect to the suddenness of his motion, it should be recollected that the occasion was as sudden. His hon. friend, without the slightest concert with him, had put a question to the right hon. gentleman opposite, on which that right hon. gentleman had thought proper to remain mute. Upon this he (Mr. W.) had availed himself of one of the most useful and important privileges of a member of that House—that of raising an immediate question—in order to enable him to make the observations which appeared to him to be necessary on the subject. Having done this, he was perfectly ready to wave any further proceeding, never having seriously meant to take the question out of his hon. friend's hands. With the leave of the House, therefore, he would withdraw his motion.

The motion was accordingly withdrawn.

Spirits' Intercourse Bill.] The House went into a committee on the Spirits Intercourse Bill.

The *Chancellor of the Exchequer* said, it was intended to propose only a temporary measure for the intercourse of Irish spirits with this country. The intercourse was to be allowed without any drawback, and the form of the Act would be very nearly the same as that of 1811. He would therefore move, that the Chairman be directed to move for leave to bring in a Bill to regulate the trade in spirits between Great Britain and Ireland reciprocally, for a time to be limited.

Mr. *W. Smith* was anxious to know, from his right hon. friend, whether he intended, by the measure he was about to submit to the House, to permit Irish spirits, already manufactured, to be imported into this country, while none could be exported from this country to Ireland? If this was to be the effect of the Bill, which, as the law at present stood, it did appear to him would be the case, it would produce a very extraordinary sort of reciprocity; for it could not be concealed, that all the benefit would be derived by the Irish distiller, while the English distiller would be subjected to the most serious disadvantages.

Sir *J. Newport* did not know of any law, by which the English distiller could be prevented from exporting his spirits to Ireland. The fact was, that the English manufacturer, who, for several years, had a monopoly of the spirit market, in consequence of the continuance of the act of suspension, in direct violation of the articles of Union, had no spirits to send to Ireland. The observations of his hon. friend appeared to him to be premature. He ought not to have offered them until the measure of the right hon. gentleman was fairly before the House. The right hon. gentleman had merely proposed, that the House should be requested to grant leave to bring in a Bill on the subject of the spirit intercourse; and he expressed himself willing to give up the measure of suspension, which his hon. friend was anxious to continue for a short time. Now, the effect of such a proceeding would be, that if a committee were now appointed to enquire into the expediency of continuing the Suspension Act, the report could not be made until a period so late in the session, as to render it very unlikely that an attendance of members, particularly of those who represented the sister country, could be procured, sufficiently numerous to discuss a matter of so much importance. Under one pretence or another, the Suspension Act had been kept in force, from the year 1806 to the present moment; and it would be monstrous if it were permitted to exist any longer. He called upon the House to act with justice towards that country, which had no separate legislature of its own; and which, at the period of the Union, threw itself on the good faith of Great Britain.

Mr. *Huskisson* said, that for years they had laboured under very great difficulties, with respect to the spirits intercourse between the two countries, and but little progress had been made in removing them. Committees had been, from time to time, appointed, to investigate the true principles of reciprocity. Now, the difficulty was, not to point out the irregularities that existed, but to find proper remedies for them. He was convinced, that until some regulation was adopted to tax Irish spirits as it was taxed in this country, not according to the quantity, but the strength of the liquor, the Irish manufacturer would have so great an advantage over the English, as to destroy any thing like a reciprocity of benefit, in this branch of trade.

Mr. *W. Fitzgerald* deprecated any discussion on this subject until the measure of his right hon. friend was before the House; he would, however, make one or two observations on what had fallen from the hon. gentleman who had spoke last, lest, if they passed without comment, they might create unpleasant feelings abroad. The hon. gentleman said, that there could be no reciprocity between the two countries, with respect to the intercourse of spirits, unless the system on which distillation was pursued in Ireland was assimilated to that adopted in England. Now, he never would depart from this principle, either with reference to the present, or any other measure affecting the sister country, that England had no right to demand of the Irish manufacturer, that the system on which a manufacture was carried on, which was not interfered with at the time of the Union, should be assimilated to that adopted in the same manufacture here. The hon. gentleman had stated, that the English distiller had made a great quantity of spirits, under the impression that the Suspension Act would be continued. Now, he did not think this could be the case, for when the Bill now about to expire, was brought in by himself, it was known to be only a temporary measure, arising from peculiar circumstances. In conclusion, the right hon. gentleman observed, that he was about to propose such an increase to the duty on distillation in Ireland, as would bring the situation of the English and Irish distiller more upon an equality.

Sir *J. Newport* said, the English distillers had no right to act upon any such presumption; they might have supposed, because the Bill now about to expire, had been continued from session to session, that therefore it would be again introduced. But surely this circumstance ought not to influence the conduct of the House. It was at the request of the English distilleries that the Spirits' Warehousing Act was passed. They found that it was not sufficient to prevent the Irish distiller from entering into competition with them, and then they called for another measure. In short, it appeared as if nothing less would satisfy them, but the total abrogation of the intercourse in spirits between the two countries. He would have been extremely glad if the noble lord (Castlereagh) were in his place, to state to the House what he had, a few days ago, communicated to him (sir John Newport) as the sentiments of Mr. Pitt, on this subject. Mr. Pitt, in conversation with his lordship, said, "I am aware, that, in the article of spirits intercourse, the act of Union is so framed, as to give a very great advantage to Ireland. She must look to that article for a compensation for what she will lose in other manufactures." This statement the noble lord would make to the House if he were in his place; and it showed beyond a doubt, that the advantage which was likely to accrue to Ireland on this point, was not unforeseen by those who drew up the Act of Union. Now, if this was the feeling of those who recommended the measure, he would ask of the House, was it right to call upon Ireland to give up the benefit which was proposed by the Act of Union, and to remain contented with the inconveniencies and disadvantages it created? He believed, many gentlemen were of opinion, that such should be the policy adopted towards that country; for he had heard an hon. member, in a committee, declare, that, though he believed Ireland had a right, under the Act of Union, to these advantages, yet, as it would operate against the English and Scotch distilleries, she ought to surrender them. The same doctrine was acted upon by many other gentlemen, though not so openly avowed. But, when such a position was unblushingly laid down by an hon. member for North Britain, he need not wonder at the manner in which subjects, connected with the interests of Ireland, were often treated in that House. The right hon. baronet concluded by conjuring the House to act with strict justice and integrity towards the sister country.

Mr. *W. Smith* said, that having been, in a considerable degree, a party to the transactions connected with the question of the Union, and having heard Mr. Pitt's opinion, over and over again, he had every reason to believe, that the right hon. baronet was totally mistaken, from beginning to end, with respect to the statement which he alleged Mr. Pitt to have made on the subject of the spirits' intercourse. Not a single word so attributed by him to Mr. Pitt, did he think ever fell from that right hon. gentleman's lips. The conclusion of the right hon. baronet's speech was entirely *ad misericor-*

*diam.* For his own part, he would adhere to the *argumentum ad justitiam*; and, when the measure came to be debated, he would fully express his opinion on the subject of the spirits' intercourse.

Sir *John Newport* begged it to be understood, that he would never plead the cause of Ireland, *ad misericordiam*, to Great Britain, or to any other country on the face of the globe.

Mr. *W. Fitzgerald* contended, that the statement made by the right hon. baronet could not be considered as merely founded on hearsay, after a lapse of fourteen years. It was not of that vague and indistinct nature which the hon. gentleman seemed to suppose—that statement came from the noble lord who recommended the measure of Union in Ireland, and, therefore, carried considerable authority with it. In the present stage of the business, he thought it would be most convenient for all parties if the discussion were deferred.

Mr. *Philipps* was friendly to the principle of reciprocity, and therefore he could not agree, that, for the purpose of securing the Irish distiller, millions of money, expended in the English distilleries, should be, in a manner, lost to the proprietors.

Mr. *Ponsonby* said, from what they had heard that evening, it was manifest that a good deal of irritation subsisted between the different parties interested in this measure; and the longer it was delayed, the greater would that irritation become. Indeed, this business ought not to have been postponed so long; it should have been completed before this time. Now, with respect to what Mr. Pitt or other persons might have said, although from the situation in which that right hon. gentleman and the noble lord stood, the testimony borne by him must be allowed to have some weight, yet the question to which it referred was not to be decided on that testimony. It was to be decided by law —it was to be decided by the Act of Union. The Act of Union was not an ordinary law; it was a law containing the compact between two nations, each of them having a parliament by which it was governed; and the question was not, whether the articles of that compact were for the advantage of England or of Ireland. No matter on which side the advantage preponderated, the Act ought to be strictly fulfilled; and England would receive very little compensation, if she violated this law, for the purpose of imparting a benefit to any branch of her own manufactures. Such a proceeding would be a breach of public faith, and must destroy all confidence between the two countries. He, therefore, besought the House to weigh well every measure connected with the Act of Union; for the character of the House and the faith of the country were at stake wherever it was concerned. Whatever the House conceived to be the true meaning of that Act, ought to be rigidly observed; and England, he was convinced, never could be recompensed for commiting a violation of it.

The *Chancellor of the Exchequer* said, no gentleman had a greater respect or veneration for the Act of Union than he had, and no person was more sincerely determined to support it; but on account of certain ambiguities in that act, they were obliged, at times, to have recourse to temporary measures, for the purpose of carrying its provisions fairly into effect. The measure he was about to introduce was founded on principles of reciprocity and justice; and if it could not be supported on those principles he would be ready to abandon it.

After a few words from Mr. Finlay, who spoke in favour of the Scotch distillers, the motion was agreed to.

## HOUSE OF LORDS.

### *Tuesday, June 21.*

GLOUCESTER GAOL.] Earl *Stanhope* rose to make his motion relative to the Petition of John Perryn, a prisoner confined in Gloucester Gaol. Their lordships would recollect, he said, that they had already agreed to the Petition lying on the table. They had also founded a proceeding upon it, for they had ordered the rules and regulations hung up in the prison to be laid before the House, a proof that they intended to go into the matter of the Petition. One of the allegations in it was, that all letters sent to or from persons confined in the gaol (debtors not excepted) were opened, and sometimes detained by order of the gaoler. The prisoner also stated himself to be debarred free intercourse with his legal advisers. Now, in such a situation, he would be glad to know how the prisoner in this free country could have his remedy at common law; and he should be glad if any noble lord, who thought it possible, would inform the House how that remedy could reach him through this interruption of correspondence with his friends, and privation of legal advice. The noble earl said it was his intention to move for a committee to enquire into the truth of the allegations in the Petition, and also for witnesses to establish their truth or falsehood, for without witnesses, it was impossible to know whether they were true or false. And the first witness he should move for was a very respectable justice of the peace, Mr. Cooper, who was a friend of the gaoler, Mr. Cunningham. In the case of a letter addressed to him (lord Stanhope,) which the gaoler had been defied to open at his peril, Cooper had said it was the invariable practice of the gaol to open letters, but advised Cunningham not to open it. He therefore thought this justice of the peace a very proper person to prove this part of the allegation. His lordship here quoted the 9th of queen Anne, to shew that the opening, or detaining of letters, either at the Post-office, or by any other persons employed to deliver them, was illegal, and contrary to act of parliament. He need not, however, have appealed to any act of parliament, for he believed that no member of that House, whether he was a lawyer or not a lawyer, would contend that the gaoler had any authority to open or detain the letters of the prisoners. His lordship said, that the first order he had moved, the laying the Petition on the table, had been complied with; he should now move, That the case of John Perryn be referred to a committee of the members of the House, who had attended this session.

The Earl of *Liverpool* conceived that any petition of this nature ought to be received with great caution and delicacy by the House, as otherwise their lordships' time might be wholly taken up with enquiries into complaints of individual grievance. To shew how very groundless such complaints often were, he might refer to the cases of the Lincoln and Lancaster gaols, the report on which, by a most respectable commission appointed for the purpose, contained a complete refutation of every charge brought forward by the petitioners. As far as their lordships could rely on general reputation, no gaol was better conducted than the one against which the present accusation was preferred; it was considered as a model for institutions of this sort, and was under the direction of some highly respectable magistrates, who paid the most humane attention to the treatment and comfort of the prisoners. He should not give any opinion on the legality of the conduct charged on the gaoler, by the Petition, but he had no doubt that if proper application were made to the executive government, which he thought was always the first step to be adopted, the subject would undergo a thorough examination at the Secretary of State's office, and till this were done, or some stronger ground laid than that contained in the Petition, he should resist the motion of the noble lord for parliamentary inquiry.

Earl *Grey* thought it not right to exclude any individual, who might possibly be aggrieved, from the redress which it was in the power of that House to afford them, because it might sometimes be attended with inconvenience, nor could he subscribe to the doctrine of the noble lord opposite, that it was always proper to refer such complaints, in the first instance, to the executive government. He did not, therefore, think the objections, which had been stated, sufficient to prevent their lordships from going into the enquiry. Now, what was the question before the House? It was not whether the prison at Gloucester was in general well or ill regulated; but a particular case was brought forward of an individual, who stated himself to be unjustly and arbitrarily deprived of the intercourse of his friends, as well as debarred from access to professional advice. Now he did expect that some noble lord, possessing a local knowledge of the transactions, would have come forward to satisfy their lordships' minds, by contradicting the allegations of the Petition, or explaining them in such a manner as to do away any serious ground of complaint. Till such contradiction or explanation were offered, he should not think himself justified in not voting for the motion for enquiry; or if any thing were wanting to confirm him in this opinion, it would be the statement of the noble earl who spoke last, with respect to the result of the enquiries into the state of the Lancaster and Lincoln prisons, a most satisfactory and excellent result, which it would, however, have been impossible to have obtained without a regular enquiry into those pretended abuses which were thus shewn not to exist.

The *Lord Chancellor* said, that many other charges and complaints were, very improperly, mixed up in the Petition, with the two which the noble lord had shewn his judgment in selecting from the rest. He did not know of any better mode of ascertaining the truth of such complaints, when brought before their lordships, than by the appointment of a solemn commission to enquire into the facts. But parliament would not be warranted in proceeding to so solemn a step, without having very solid grounds of injustice and oppression laid before them. He agreed with the noble earl, that it did not require any reference to a particular act of parliament to prove the illegality of detaining the prisoner's letters. He had also an undoubted right to have free access to legal advice. But then there were cases in which it often happened that persons were admitted under this pretext for a very different and improper purpose. His lordship then read some of the other allegations in the Petition, as that the prisoners were locked up from five in the evening to eight next day, that they had no firing, that knives and forks were not allowed them, "whereby man, the image of God, is compelled to gnaw his food like the dogs." His lordship concluded with observing, that he believed any noble lord who read the whole of the Petition through, would have little doubt, from its style and manner, that parliament ought to have farther grounds before they consented to a committee.

Lord *Holland* was of opinion, that if any matter of petition was brought before their lordships, the proper mode was to go into a committee. If indeed, any noble lord stood up to contradict the facts stated in the Petition, or if, admitting those facts, they were denied to be improper or illegal, then, but not otherwise, there might be ground to deliberate before they granted a committee. But the noble lord opposite had stated cases in which enquiry had been instituted, and in which it had appeared that the complaints were unfounded, or greatly exaggerated. Was this a sufficient ground for suspending all enquiry in future? If so, the right of individuals to petition that House was a mere mockery. He should certainly consider it as a shrinking from their duty, if they suffered any such complaints to be referred to any other tribunal. He remembered the time when the petitions from the Cold Bath-Fields were presented. They were told then by the Secretary of State, as they were told now, that it would be better to leave it to the executive government to enquire into, and correct the evil. They waited two or three years, and then found that greater abuses existed than had ever been complained of. He did not apprehend that the general good management of the gaol at Gloucester was a sufficient ground for resisting enquiry into the specific abuses which were alleged. It was like what he had read in a comedy—that a man's having a good character only enabled him to commit bad actions with impunity. The style of the petition had been severely commented on by the noble lord on the woolsack. He had no doubt that if the petitioner had had the assistance of the language and eloquence of the noble lord, he would have presented a much more unexceptionable petition. But were their lordships to reject a petition because it had mixed up with a real grievance, a great deal of imaginary grievance, ill expressed? He knew of but two grounds for resisting such a motion as the present: first, That the facts are greatly exaggerated, and that the abuses do not exist; second, That what is complained of as an abuse is not really such. Neither of these applied to the present case. There was some inconvenience attending the calling of witnesses, but this in his judgment was greatly overbalanced by the general satisfaction and security afforded to the country by the knowledge that parliament was always ready to enquire into, and redress the grievances of individuals, who appealed to its justice and its humanity.

Earl *Bathurst* stated, that the magistrates in the neighbourhood had enquired into the complaints in the Petition, and had come to the conclusion that there were no grounds for them. The custom of opening the letters of the prisoners had always been one of the regulations of the prison. Legal advice had also been allowed to the petitioner, and only improper persons had been refused admittance.

Earl *Stanhope* said he was glad that the noble peer had confessed himself out of court; for he had admitted the very thing he wanted to prove, the enforcing an illegal rule in the prison. His lordship descanted at some length on the hardships which persons confined for debt (which was the case of the petitioner) were doomed to suffer; and now they were to have the illegal hardship added to the rest, of having their letters opened and detained at the discretion of a gaoler. The numerous evils and vexations practised in our gaols justified an expression of a late historian, that this country was the island of Bastiles: for there were more of them in

England than in all Europe put together. There might be found persons to defend such practices, but if he were to do so, he should not be able to sleep on his pillow with a safe conscience.

The Lord Chancellor put the question, and said that the Not Contents had it. Lord Stanhope said, the Contents must certainly have it. Upon which, the House divided—For the motion 6; Against it 24; Majority against it 18.

Earl Stanhope then moved that Mr. Cooper, a justice of peace, and another, should be brought up as witnesses. Lord Holland asked whether it was intended that any enquiry or investigation should be made by the Secretary of State. It would be satisfactory that this should be done, as the motion had been rejected. Lord Liverpool did not pledge himself to any solemn investigation; but as soon as he could communicate with his noble friend, to whose department the matter belonged, he had no doubt that enquiries would be made to ascertain whether there existed any grounds for further proceedings. The motion for witnesses was also negatived.

## HOUSE OF COMMONS.

*Wednesday, June 22.*

LORD COCHRANE AND MR. COCHRANE JOHNSTONE.] Mr. *Broadhead* moved, "That there be laid before this House, a copy of the record of the proceedings upon an indictment in the court of King's Bench against the right hon. lord Cochrane and the hon. Andrew Cochrane Johnstone, members of this House."—Ordered.

MR. LE MARCHANT.] Mr. *A. Browne* begged to enquire of an hon. gentleman whom he saw in his place, whether government had confirmed the appointment of Mr. Le Marchant.

Mr. *Goulburn* replied, that as soon as the trial was finished, and the time had elapsed in which a new trial might have been moved for, he had received instructions from lord Bathurst to inform Mr. Le Marchant that he was not considered a fit person for the situation in question, and that another had been appointed in his room.

CAPTAIN MANBY.] Mr. *Rose* moved that the sum of 2,000*l.* should be voted to captain Manby, as a remuneration for his discovery, and a compensation for the expences incurred in bringing it to perfection. The right hon. gentleman stated, that it was his intention, on a future occasion, to move for an Address to the Prince Regent, praying that captain Manby may be employed in furthering his own plans, by providing mortars, &c. at different stations along the coast. The Resolution was agreed to.

STANDING ORDERS RELATIVE TO NAVIGABLE CANALS, &c.] Mr. *Charles Dundas* reported from the Committee appointed to take into consideration the Standing Orders of this House, relative to Bills for making navigable canals, reservoirs, or aqueducts, or for improving the navigation of rivers, and to report the same, with their opinion thereupon, to the House; that they had considered the matters to them referred, and had come to several Resolutions, which they had directed him to report to the House; and the same were read, as follow:

1. Resolved, "That it is the opinion of this Committee, That, when any application is intended to be made to the House, for leave to bring in a Bill for making any cut, canal, reservoir, or aqueduct, for the purpose of navigation, or for supplying any city, town, or place with water, or for varying, abridging, extending, or enlarging any such cut, canal, reservoir, or aqueduct already made, or for making or improving the navigation of any river, or for continuing or amending any act of parliament passed for any or either of those purposes, or for the increase or alteration of the existing tolls, rates, or duties upon any such cut, canal, reservoir, aqueduct, or navigation, notices of such intended application be given.

2. "That such notices do contain the names of the parishes and townships from, in, through, and into, which any such cut, canal, reservoir, or aqueduct, is intended to be made, varied, abridged, extended, or enlarged, or in which such river, or such part thereof as is intended to be made navigable, or the navigation thereof to be improved, is situated, and of the parishes and townships intended to be omitted by any Bill for amending any former Act, and shall specify for which of the before-mentioned objects such application is intended to be made; and if an increase or alteration in any existing tolls, rates, or duties, is intended to be proposed, the intention of proposing such increase or alteration be expressed therein.

3. "That such notices be inserted three times in the months of August and Sep-

tember, or either of them, immediately preceding the session of parliament in which such application is intended to be made, in some one and the same newspaper of every county, in or through which any such cut, canal, reservoir, or aqueduct is intended to be made, or in which such cut, canal, reservoir, or aqueduct already made, is intended to be varied, abridged, extended, or enlarged, or in which such river, or such part thereof as is intended to be made navigable, or the navigation thereof to be improved, is situated; or, if there is no such paper printed therein, respectively, then in the newspaper of some county adjoining or near thereto; and that such notices (printed or written on paper), be affixed to the door of the sessions house, where the general quarter sessions of the peace shall be holden, for every county, riding, or division, in or through which any such cut, canal, reservoir, or aqueduct is intended to be carried, or in which such cut, canal, reservoir, or aqueduct already made, is intended to be varied, abridged, extended, or enlarged, or in which such river, or such part thereof as is intended to be made navigable, or the navigation thereof to be improved, is situated, at the Michaelmas preceding the said session of parliament.

4. " That, when any application is intended to be made to the House, for leave to bring in a Bill for making any cut or canal, for the purposes of navigation or drainage, or for altering or amending any act of parliament passed for any of those purposes, within the great level of the fens, commonly called 'The Bedford Level,' a further notice of such intended application shall be given, in writing, to the corporation of the Bedford Level, in the months of August and September, or either of them, immediately preceding the session of parliament in which such application is intended to be made.

5. " That, in cases where application is intended to be made for a Bill for making any cut, canal, reservoir, or aqueduct, for the purpose of navigation, or for supplying any city, town, or place with water, or for varying, abridging, extending, or enlarging any such cut, canal, reservoir, or aqueduct already made, or authorized to be made, or for making or improving the navigation of any river, a map or plan, and section of such intended cut, canal, reservoir, aqueduct, or navigation, and also of any intended variation, abridgement, extension, or enlargement of any cut, canal, reservoir, aqueduct, or navigation already made, upon a scale of not less than three inches to a mile, so far as relates to the said cut, canal, reservoir, aqueduct, or navigation, of such variation, abridgement, extension, or enlargement, be deposited for public inspection at the office of the clerk of the peace of every county, riding, or division, in or through which such cut, canal, reservoir, aqueduct, or navigation, is intended to be made, or such variation, abridgement, extension, or enlargement is intended to be made, on or before the 30th September previous to the session of parliament in which such application is intended to be made, which map or plan shall describe the line or situation of such intended cut, canal, reservoir, aqueduct, or navigation, or of such intended variation, abridgement, extension, or enlargement, and the lands in or through which the same is intended to be made, together with a book of reference, containing a list of the names of the owners or reputed owners and occupiers of such lands, respectively; and the plan shall also describe the brooks and streams to be diverted into such cut, canal, reservoir, aqueduct, or navigation, for supplylng the same with water, and contain a plan of such reservoir, and the elevation of any such aqueduct, and such section shall specify the level, and describe the same by feet and inches.

6. " That the clerks of the peace, or their respective deputies, do make a memorial in writing upon the plan and book of reference and section deposited with them in manner aforesaid, denoting the time at which the same were lodged in their respective offices; and do, at all seasonable hours of the day, permit any person to view and examine the same, and to make copies or extracts therefrom, such person paying for the same the usual and accustomed fees paid to such clerks of the peace for the inspection and copying of, or making extracts from, records in their respective offices.

7. " That, before any application is made to the House for a Bill for making any cut, canal, reservoir, or aqueduct, for supplying any city, town, or place with water, or for varying, extending, or enlarging any such cut, canal, reservoir, or aqueduct already made, or for making or improving the navigation of any river, previous application be made to the owners, or reputed owners and occupiers of the

lands, through which any such cut, canal, aqueduct, or navigation is intended to be made, or any such line of variation or extension, or such enlargement, is intended to be carried; and that separate lists be made of the names of such owners or occupiers, distinguishing which of them, upon such application, have assented to or dissented from such intended cut, canal, aqueduct, reservoir, or navigation, or such variation, extension, or enlargement, or are neuter in respect thereto.

8. "That, before any application is made to the House for a Bill to amend any former Act for making any cut, canal, reservoir, or aqueduct, so as to abridge the extent thereof, previous application be made to the owners, or reputed owners and occupiers of the lands through which the part of the said cut, canal, reservoir, or aqueduct, intended to be retained, shall pass or be situate; and that separate lists be made of the names of such owners and occupiers, distinguishing which of them, upon such application, have assented to or dissented from such abridgement, or are neuter in respect thereto; and that notice in writing of such Bill be given to the owners, or reputed owners and occupiers of the lands in which the part of the said cut, canal, reservoir, or aqueduct, intended to be thereby relinquished, is situate.

9. "That, before any application is made to the House for the purposes set forth in the preceding resolution, previous application be also made to the owners and occupiers of the lands in which any reservoir is intended to be made or erected, and through which any channel or conveyance is intended to be made, for the purposes of feeding or supplying with water from the said reservoirs any such cut, canal, aqueduct, or navigation, variation, extension, or enlargement; and separate lists shall be made of such owners and occupiers, distinguishing which of them have assented to or dissented from such proposed work, or are neuter in respect thereto.

10. "That, before any petition shall be presented to the House, for making any cut, canal, reservoir, or aqueduct, for the purpose of navigation, or for supplying any city, town or place with water, or for varying, abridging, extending or enlarging any cut, canal, reservoir or aqueduct already made, or for making or improving the navigation of any river, the lists mentioned in the preceding Resolutions, and also a duplicate of the map or plan and section, so to be deposited at the office of the clerk of the peace, be lodged in the Private Bill office of this House, and that the receipt thereof be acknowledged accordingly by one of the clerks of the said office, upon such petition.

11. "That, before any petition is presented to the House, for making, varying, abridging, extending, or enlarging any such cut, canal, reservoir, or aqueduct as aforesaid, or making or improving the navigation of a river, an estimate of the proposed expence of such undertaking, signed by the person or persons making the same, together with an account of the money subscribed for that purpose, and the names of the subscribers, with the sums by them subscribed respectively, be lodged in the Private Bill office of this House, and that the receipt thereof be acknowledged accordingly by one of the clerks of the said office upon such petition.

12. "That the Committee, to whom such petition shall be referred, do examine, in the first place, how far the preceding orders have been complied with, and do report the same to the House on the report of such petition.

13. "That, in all Bills presented to the House for making, varying, abridging, extending or enlarging any cut, canal, reservoir or aqueduct, or for making or improving the navigation of any river, provision be made for compelling the persons who have subscribed towards carrying any such work into execution to make payment of the sums severally subscribed by them, and also to oblige the company, commissioners or trustees, to take security from their treasurer, receiver, or collector for the faithful execution of his office.

14. "That there be seven clear days between the first and second reading of such Bills.

15. "That, after any Bill for making any cut, canal, reservoir, or aqueduct, for the purpose of navigation, or for supplying any city, town, or place with water, or for varying, abridging, extending or enlarging any such cut, canal, reservoir or aqueduct already made, or for making or improving the navigation of any river, shall have been presented, and ten days at least before the Committee on such Bill shall sit, a printed copy of such Bill be deposited with the parish clerk of the several parishes or places from, in, through, and into which any such cut, canal, reservoir or aqueduct, or any such variation, abridgement, extension, or enlargement is

intended to be made, for the inspection and examination of all persons concerned, and that seven days previous notice be given once in some news-paper of the county, and a copy of such notice affixed on the church door of every such parish or place, that such Bill will be deposited as aforesaid.

16. "That evidence be adduced before the Committee to whom the said Bill shall be committed, that the preceding Resolution has been duly complied with, and that all owners and occupiers, or reputed owners and occupiers, of the land from, in, through, or into which any such cut, canal, reservoir, aqueduct, or navigation, or any such variation, abridgement, extension, or enlargement, is intended to be made, do personally attend the Committee to whom such Bill shall be committed, or, if they do not attend, do give their certificate in writing, signifying that they have seen a printed copy of the said Bill, and do dissent thereto; and that the hand writing to such certificate be proved by one or more witnesses before the said Committee; and the said Committee shall report to the House, together with the Report of the said Bill, a list of the names of such persons as shall appear to them to dissent to the said Bill.

17. "That there be seven clear days between the day on which such Bill is reported to the House, and the day when the said Report shall be taken into consideration.

18. "That, after such Bill is reported to the House, the Bill, as amended by the Committee, be printed at the expence of the parties applying for the same; and be delivered at the door to the members of the House three clear days at least before such Report shall be taken into consideration."

Ordered, That the Report do lie on the table, and be printed.

PETITION OF MR. TENNANT RESPECTING THE BLEACHING OF COTTON AND LINEN GOODS.] Mr. Finlay presented a Petition from Charles Tennant and Company, of Glasgow, setting forth,

"That for many years past the bleaching of cotton and linen goods has been much improved by the use of oxymuriatic acid, after a method invented and brought to perfection by the petitioners; and that the most economical and convenient way of applying this acid is in combination with lime, and that the bleachers in this country have been in use to prepare for themselves the combination of oxymuriatic acid and lime in a fluid form, after a way invented by the petitioners under the name of bleaching liquor; and that the petitioners first, and others, from their example, by preparing this substance in a dry and very portable shape, have been enabled to supply the bleacher on such terms as has induced him in a great measure to give up the manufacture for his own use; and that this substance, whether in a fluid form, as prepared by the bleacher, or in the more convenient and portable shape of powder, as manufactured by the petitioners, is chiefly composed from salt; and that, in Great Britain, to encourage the manufactures of the country, the bleacher who makes oxymuriate of lime, whether in a fluid or dry form, for his own use, is allowed to draw back the duty for all common salt used for this purpose; and that the petitioners, and other manufacturers resident in Great Britain, who make the article not for their own use but for sale, have not been allowed this advantage; but that, in Ireland, both the bleacher and the separate manufacturer for sale have been allowed their common salt free of duty; and that, in consequence of this advantage enjoyed by the separate manufacturers of oxymuriate of lime in Ireland, this now extensively-used bleaching article has been for some time, and is now, imported from Ireland and sold in this part of the empire at a rate below what British manufacturers can afford; and that the petitioners, with the other British manufacturers of this substance, are therefore already, in a great measure, and are likely to be soon altogether excluded from their own market; and that the petitioners in particular, who first invented and established the manufacture, already find the utmost difficulty in supporting a very large and extensive establishment erected by them for the purpose, and look forward with the greatest alarm to the total destruction of their property, if this unjust monopoly is continued in favour of Ireland; and that, if it should appear proper to continue to the bleachers in Great Britain, who make the article for their own use, a drawback of the duty on salt used by them, or to allow the manufacturers of Ireland who prepare the article for general sale, to import it into Great Britain duty free, the petitioners humbly hope that the British manufacturer of the article will not be excluded from the equal protection of government, and that the petitioners, who have expended their fortunes in inventing, improving, and establishing the manufacture, will not be ruined by the encouragement granted by government to others, and refused to them, and praying for relief."

After a few words from Mr. W. Fitzgerald, who said that the matter of the Petition was such as merited attention, it was ordered to lie on the table.

## HOUSE OF LORDS.

*Thursday, June 23.*

Small Pox Prevention Bill.] The order for summoning their lordships being read,

Lord *Boringdon* rose agreeably to his notice, to move the second reading of the Bill for the more effectually preventing the spreading of the small pox. Adverting to what had transpired the last time he had brought the subject before their lordships, he observed, the principle of the Bill did not seem to be impugned either by the noble and learned lord on the woolsack, or by another noble and learned lord not now in his place. The former principally alluded to certain obstacles which would be found in carrying such a measure into effect; and the latter certainly questioned the propriety of some of the clauses. Under such circumstances he was induced to withdraw the Bill on that occasion. He was induced again to come forward, chiefly in consequence of his having received applications from different parts of the country, and from different quarters, many unknown to himself, earnestly soliciting that he would endeavour to obtain some legislative provision to counteract the further spreading of the loathsome and dangerous disease in question. Under these impressions, he should feel it a dereliction of his public duty if he abstained from again bringing the subject forward to the serious consideration of the House. The present Bill he considered as free from the objections formerly urged. With respect to its principle, he would not trespass again upon their lordships further than to observe, that a similar principle was established by various statutes, and had been recognized at all periods of the constitution. This appeared in the system of the old statutes respecting the plague, and also in that of the quarantine laws, which all went upon the preference given to the general safety over what were termed individual rights. The Bill, he observed, left a free option to all to recur to either mode of inoculation. The object of the clauses was merely of a protective nature, and to the nature of these provisions his lordship generally referred. After again adverting, but more particularly, to certain points which were touched upon in the former discussion, the noble lord observed, that what had been asserted respecting the Vaccine Inoculation affording only a temporary degree of protection, created an injurious degree of alarm upon the public mind: and it was proper and necessary every thing should be done in order to counteract the ill effects of so erroneous a supposition. The noble lord then referred to a declaration of the board respecting an assertion that the Vaccine Inoculation afforded a protection of three years only; and which solemnly alleged that such assertion was wholly without foundation. He trusted, under such circumstances, their lordships would allow the Bill to go to a committee, in which the objection of any noble lord to the clauses and details of the measure could be regularly and freely discussed; more especially as no serious objection seemed to be entertained to its principle. He then moved that this Bill be now read a second time.

The *Lord Chancellor* shortly addressed the House upon the occasion. His remarks were chiefly directed, in explanation of a part of the former discussion on the subject, which was particularly adverted to by the noble mover. He did not object to the Bill going to a committee. The Bill was read a second time.

Earl *Stanhope* said, he wished it to be understood, that by assenting to the Bill going to a committee, he was by no means bound to vote for the adoption of the Bill in its present shape. It would require a great alteration in the committee before he could approve it, notwithstanding the clauses respecting the red flags were left out.

The Bill was ordered to be committed on Monday.

## HOUSE OF COMMONS.

*Thursday, June 23.*

Lord Cochrane.] The *Speaker*, the moment he took the chair, addressed the House as follows:—I have to acquaint the House that I last night received a letter from lord Cochrane, dated from the King's

Bench prison, asserting his innocence upon certain matters of which he had lately been convicted in the court of King's-bench, and desiring that timely notice, and a full opportunity of attending in his place, might be given to him, upon any question which might be brought forward respecting his conduct. I have thought it my duty to return for answer, that according to the usage of parliament, timely notice, and a full opportunity of attending, will be given to any member of this House before any motion will be entertained in which he is immediately interested.

FLOGGING IN THE ARMY.] Mr. *Bennet*, seeing a right hon. and learned friend of his in his place, wished to ask him if he had received any information of the case of a soldier, the servant of the surgeon of a regiment, who, for some personal insult to his master, was sentenced by a court martial to receive 300 lashes, but who, having received a hundred and odd, was in such a state, that (the remainder being suspended) he lay for two hours on the ground, in a state of suffering and insensibility? If his right hon. and learned friend had heard of this circumstance, he wished to know what steps he meant to take with respect to it.

Mr. *Manners Sutton* replied, that the circumstance was perfectly new to him, this being the first moment that he had heard of it. Nor would his hon. friend and the House be surprized at this, when they knew that the individual in question must have been tried by a regimental court martial, the returns of which were not sent to his office, unless when any complaint of the proceedings happened to be preferred.

Mr. *Bennet* trusted, that his right hon. and learned friend would cause enquiry to be made into the circumstances of the case.

Mr. *M. Sutton* said, that if his hon. friend would furnish him with the name of the party, he certainly would do so.

THE PRINCESS OF WALES.] Mr. *Methuen* rose to make his promised motion, and spoke nearly as follows:

Sir; although I deeply regret being under the necessity once more of addressing you on a subject so painful and distressing as the present situation of her royal highness the Princess of Wales, I feel it my duty to persevere in the object which I have in view; intending, however, in deference to the opinion of the House, as pretty distinctly expressed in the recent discussion on this subject, not to retrace the steps which I took on that occasion, but to confine myself to the consideration of her Royal Highness's income, and for that purpose alone shall I call the attention of the House to the Correspondence of her Royal Highness with her Majesty and his royal highness the Prince Regent, as the only parliamentary document on which the proceeding, which I mean to propose, can be founded. Sir, in the same spirit of deference to the opinion of the House, (an opinion which, I trust, I shall never under any circumstances be so presumptuous as to undervalue or disregard,) which induces me to abstain from other matter, I shall endeavour to give a direction to that generous sentiment—the expression of which on the late occasion, was so universal and so loud within these walls—that something ought to be done to ameliorate the condition of her Royal Highness. Sir, I do most deeply regret, and I am indeed astonished, that no step has been taken—that no communication has been made to this House, in consequence of the memorable discussion to which I have alluded. I sincerely lament it; for much rather would I see the hand of government liberally and spontaneously stretched forth on such an occasion, than that an act of bare justice should be wrung from it, by the voice of the parliament and the country. But, since the temperate advice given to his Majesty's ministers by a right hon. gentleman opposite, since the unequivocal expression of the sense of the House, since the delay that has occurred, have been unproductive of any desirable event, if in the agitation of the subject unpleasant feelings should be excited, either in this House or out of it, let the blame rest with those who, having the means in their power of stifling further discussion, by giving his royal highness the Prince Regent temperate and constitutional advice, and by telling him the real sense of the parliament and the people, either neglected to avail themselves of those means, or despised the object for the attainment of which they might have used them. There is no man who deprecates the necessity of such discussions as the present more than myself; but while that necessity exists, I cannot avoid continuing to call the attention of the House to the subject. No man laments more than myself, that any thing in the shape of dissatisfaction should cloud the brilliance of the present moment. But is it to be expected that, because others are basking in the sunshine of happiness, her royal highness the Princess of Wales is to be content in the cold shade of obscurity and neglect? Is the hour of the triumph that she is not permitted to partake that in which she is likely to forget the unjust degradation that she is enduring? What must the illustrious foreigners, so lately among us, have thought of British generosity, when they heard the disgraceful fact, that the allowance to her Royal Highness was so parsimonious that she was unable to give them a welcome, or to appear before them in a way becoming her exalted situation? Is such a circumstance consonant to the character of a feeling, of a liberal, of a high-minded nation? Sir, I assert on the best authority, although I am almost ashamed to assert it, not only that her Royal Highness is unable to maintain the dignity of her station, but that she is even without those comforts with which her habits have hitherto familiarized her. Let us forget, Sir, that this illustrious personage is a princess. Let us consider the subject only as fathers or brothers. Let us contemplate our daughters or our sisters so branded, so degraded. Let us ask our consciences if an innocent woman, thus deserted, has no claim on our defence and support?—Sir, when the Princess of Wales married, she had an allowance of 17,000*l.* a year from his royal highness the Prince of Wales, besides 5,000*l.* a year which she received from the Exchequer. In 1800 his Royal Highness sent her a message informing her, that in consequence of his own embarrassments he could allow her only 12,000*l.* a year. In 1809 his Royal Highness undertook to pay her Royal Highness's debts, amounting to 49,000*l.*; and to restore her annual allowance to its original sum of 17,000*l.* For nine years, therefore, her Royal Highness had 5,000*l.* a year less than when she resided at Carlton House, and had no separate establishment to maintain. The consequence was obvious. Her Royal Highness's income was so inadequate to her expenditure, that in July last she was under the necessity of reducing her establishment to seven domestics, and of almost entirely giving up seeing company. To this and other reductions; and to the generous and disinterested conduct of Mr. St. Leger, who had insisted on relinquishing his salary, and who, as well as ladies Carnarvon and Glenbervie, was now without any salary whatever, were owing, the happy circumstance that at the present moment her Royal Highness did not owe a single shilling. But is this a situation in which the future queen of this country ought to be left? Ought she to depend for her freedom from actual pecuniary embarrassment, on the generosity, however magnanimous, of her houshold? The proposition which it is my intention to make on this subject is by no means unprecedented. In the case of the princess Anne, in 1690, a grant was made by this House, not only without a message from the crown, but in direct opposition to the wishes of the crown. It is impossible, Sir, that the House can refuse to interfere. The only income which her Royal Highness possesses, independently of his royal highness the Prince Regent's pleasure, is 5,000*l.* a year, a sum utterly insufficient to the maintenance of the dignity of her station. I cannot, therefore, but anticipate a favourable result to my motion. It is not a party question. It is a question of common justice to an individual, and that individual a female of the most exalted rank. But whatever may be the issue, I shall have the satisfaction of knowing that this is a duty which I have conscientiously undertaken. Had I heard the slightest hint of any intended arrangement or melioration of her Royal Highness's situation, I would have refrained from any agitation of the subject; but not having received any intimation of the kind, I had no alternative. If in the course of my observations I have alluded in strong terms to her Royal Highness's situation, those terms have been forced from me by the strong conviction which I entertain of the unmerited hardships to which her Royal Highness has for a length of time been subjected. I cannot conclude, Sir, without assuring the noble lord how mortified I am, immediately on his return to this place, and after the warm reception which he has so deservedly experienced from the House and from the country, to require his attention to a question, the consideration of which, I have no doubt, must be as painful to him as it is to the nation at large. Sir, I move, "That this House will, on Tuesday next, take into consideration the Correspondence communicated to the Speaker, on Friday, June 3, by her royal highness the Princess of Wales."

Lord *Castlereagh* replied to the following effect:

Sir; I am much obliged to the hon. gentleman for the kind manner in which he has expressed himself with respect to me; and I feel very happy at the nature of the proposition which the hon. gentleman has brought forward, however inconsistent it may be with his original line of proceeding. Perhaps, if the course which the hon. gentleman has this evening taken, had been earlier adopted, many discussions on this subject would have been very desirably avoided. But certainly this is the first time that we have been told in parliament, that an extended provision for her royal highness the Princess of Wales, is the object which her Royal Highness's friends have in view, and which they think calculated to set for ever at rest a question, which it had been much better for the honour and happiness of the country had never been agitated. But, Sir, although I am disposed to confine myself as closely as possible to the question to which the hon. member has also limited himself, I will depart from that dry consideration as far as will be necessary to distinguish those topics, which have unfortunately been brought forward in this House—unfortunately, because the only tendency they can have, is to disturb the tranquillity of the public mind, and by no means to effect any advantage for the illustrious individual to whom they immediately relate. Sir, I had almost resolved that I would not be provoked by any question that might be raised, to become a party to a discussion on the affairs of the royal family, to the regulation of which, the functions of parliament are not competent to apply remedy. I should deeply deplore the situation in which parliament would be placed, if we were obliged to listen to questions with respect to the royal family, the discussion of which, if they related to the humblest individuals in the land, would be considered a gross breach of delicacy and propriety. If there be any thing which could deprive the royal family of all those social enjoyments so dear to human nature in every rank and condition, it would be the dragging forth into public view, under the pretext of the public interest, all the interior circumstances of their lives, the exposition of which would not be tolerated by any private family in the country. Sir, I know that it has been attempted to justify some recent attempts of this nature, on the ground that his Majesty's ministers have neglected to advise his royal highness the Prince Regent to make a communication to the House on the subject to which I allude. But, Sir, whatever information her royal highness the Princess of Wales—whatever information the world may have obtained through indirect channels on that subject—whatever confidential communications may have been made to foreign powers with respect to it, yet, never could any notice of such a transaction be given to parliament, until in its progress it had assumed such a shape as would allow of its reduction to a formal document. Sir, I am particularly anxious to remove an impression which has been endeavoured to be made by an attempt to confound two transactions which are in fact wholly separate. It has been insinuated, that the difficulties in the way of a marriage deeply interesting, not less to the people at large than to the illustrious individuals more immediately concerned, are connected with supposed difficulties, arising out of the exclusion of her royal highness the Princess of Wales from the court; now this assertion is completely rebutted, by the fact that the negociation for the marriage was in active progress long after that exclusion. It was in active progress so late as the 10th of June, not only after the declaration of exclusion, but after the drawing-room had been held, from which her Royal Highness was excluded, and after the discussions in the House upon the subject. All this is sufficient completely to disprove the supposition, that between the circumstances which I have mentioned there exists any connection whatever. When the hon. gentleman gave his notice of the present motion, I had no ground for supposing that his object was that which my mind is very much relieved by finding it is. I had no ground for supposing that an increase of her royal highness the Princess of Wales's pecuniary means was the point he had in view. Sir, whatever difficulty I might have felt on any other ground upon which the discussion of this evening might have rested, I have none upon this; for I have no reason to suppose that at the present, more than at any preceding moment, it is the wish of his royal highness the Prince Regent to connect the feelings which arose out of his separation from her royal highness the Princess of Wales, with any disposition to create or to suffer the existence of embarrassments on her part of a pecuniary nature, which can with propriety be removed. It was not, therefore, to this part of the subject that I supposed the hon. gentleman would apply himself. I had apprehended that he would refer to the letter of her Royal Highness, with a view to found upon it some claim of right, as asserted in the letter itself; for really as to any addition to her Royal Highness's income, the consideration of the letter is calculated to lead the attention of the House from, rather than to that circumstance. It is as little mentioned in the letter as it was (as I am given to understand) in the speech of the hon. gentleman on a recent occasion, and in the speeches of the other hon. gentlemen who took a part in that discussion, with the exception of the hon. gentleman near the pillar (Mr. Tierney). I certainly did suppose, therefore, that the debate of the present evening would have taken any range rather than that to which I have had the satisfaction to find it is the hon. gentleman's object exclusively to confine it. I certainly did expect to hear asserted to-night the claim of her Royal Highness, as advanced in her letter, to be received at the drawing-room, as a matter of right. Sir, if his Majesty's ministers do that which it is their duty not to do, or if they omit to do that which it is their duty to do, there is a power in this House to correct them. From the controul of parliament there is no appeal but to the discretion of parliament. Without going into any minute constitutional inquiries, the fact is, that the moment we cease to possess the confidence of parliament, that moment our functions are at an end. But, Sir, it distinctly appears to me, that parliament and his Majesty's ministers will best do their duty to that country which we are all anxious to serve, by keeping within those limits which the constitution prescribes. The legitimate authority of parliament will never be so respected or respectable, as while we abstain from attempting to do that which never can be practically executed without our having first fallen into an utter misconception of our duty. Any endeavour to regulate the sovereign's court—to declare who shall or who shall not be there admitted, is of that description. Any thing so preposterous as to talk of her Royal Highness's "right" to be admitted to her Majesty's drawing-room, I should hardly have expected to find in any letter from her Royal Highness, and still less in a letter of so grave a nature, as that included in the Correspondence to which the motion of the hon. gentleman refers. Her Majesty's drawing-room is certainly the place in which we pay our duty to her Majesty; but nevertheless, it is the court of the Sovereign. It is called by the King's officers, and not by those of the Queen, who merely attend at her Majesty's right hand for the purpose of introducing the visitors. Parliament has nothing to do with the Sovereign's court. They are not the fit judges who ought to be received at that court, and who ought not—who should be treated with kindness, and who with indifference. It is not essential to the Sovereign that he should have a court at all. If the Sovereign were compelled to receive or to deny those whom his ministers or parliament chose that he should so receive or deny, his situation would indeed be most degradingly miserable and abject. He would not enjoy that freedom in his court, to which the meanest individual in the land was entitled in his own habitation. In his court, as in his family, the Sovereign is unquestionably the fit master of his own regulations, and has the undoubted right to receive whom, and when, and how he pleases.

Sir, I know that attempts have been made to connect the motives which have operated on the mind of the illustrious person now exercising the sovereign authority in this country, in the late transaction, with the supposed revulsion of feeling which he experienced at the time that his royal Father directed that her royal highness the Princess of Wales should be received at Court. I deny that there is any proof direct, or by inference, of such a connection. Whatever may have been the feelings of his Royal Highness which occasioned the separation of the royal pair (and I am sure no man more deeply laments that separation than myself), the fact is, that he had met her Royal Highness in the drawing room long after the event to which I have alluded. But, Sir, no one who has observed any thing of the course of public events since that period, can remain unconvinced that, either by design or by misconduct, circumstances have assumed a very different complexion from that which they then bore. Her Royal Highness has been made the vehicle of direct insult on the character and conduct of his royal highness the Prince Regent, exercising the sovereignty of the country. It is impossible to disguise the fact, that persons have been permitted to approach her Royal Highness who have been detected in a cabal through the medium of the press, for the purpose of degrading the royal family in general, and more particularly of vilifying the illustrious individual at the head of the state, and of attempting to debase him in the eyes of his family, of his country, and even of his children.

It never could be maintained as a principle, continued the noble lord, that a person ought to be admitted to court who had not sufficient firmness to prevent herself from being made the vehicle of the most illiberal attacks against the sovereign of the country. It must not, by any means, be supposed that the exclusion of the Princess of Wales from court rests now on the same grounds as it did on a former occasion, when his Majesty was pleased to admit her again to court, after the investigation of a subject of a very different nature. His Majesty's ministers were disposed to rest the case on the ground of the facts which really existed. Every man in the House and in the country must feel undisguised the misfortune which I am compelled to admit, that from causes which cannot now be explained, and which the House are but little likely to understand in their bearings, or to be able to heal—in point of fact the separation is as complete and final, and as hopeless, with respect to remedy, as any transaction in human society can be supposed to be. I cannot, therefore, suppose that the difference will at any future period assume a different result; but I think it will administer some light to the House on the present occasion, without looking minutely into the transaction, and without endeavouring to come to an understanding of it in all its bearings, to learn the fact, that the view which I now take of this unfortunate variance, is that which was taken by his Majesty. His Majesty considered it so hopeless a matter ever to bring the parties together with any thing like satisfaction to their own feelings, that he viewed it in the light of a misfortune which had arrived to such a degree of height, that it was in vain to think, by any discussion, to put an end to it, and the only thing that remained to be done was to see how the matter could be managed in the way least painful to the parties who were the object of it. Without being considered as very forward in laying before the House information with respect to a transaction of so painful a nature, I trust I shall be excused for stating to them, that there is in existence a solemn instrument, signed by the parties, approved of by his Majesty, and to which the signature of his Majesty is adhibited, as well as that of the greatest part of the ministers of that day. This instrument provides for a distinct establishment to the Princess of Wales, and admits the fact of the separation being inevitable —[Here the noble lord was asked across the table the date of this instrument? He answered 1809.]—The King knowing all the circumstances of this disagreement, and as the head of his family, and from his moral character, being the person best qualified to form a judgment respecting it, considered the separation as so complete, that he lent his sanction, as sovereign and father, to the separation. The Princess of Wales accepted the arrangement which was then made satisfactory to herself, and undertook to live on the income which was allowed her without incurring any further debts. Without meaning to contend that what was a satisfactory sum at that period was one which ought not to be unsatisfactory now, or without going so far as to say, that if the House is inclined to think that a more liberal allowance ought now to be made to the Princess of Wales, a new arrangement should not be entered into, I trust, before I conclude, I shall have established this fact, that whatever may be the feelings of the Prince of Wales, as to the circumstance of living with her, he never wished to visit on her the consequences of the disagreement in a pecuniary shape. In 1809, when the feelings of his Royal Highness must be supposed to have been warmest on this subject, he came forward himself to pay her debts, and those debts were paid out of his own income. There never was, I am fully convinced, a feeling in his Royal Highness's mind, that any thing like money ought to be a question between them. At the period of 1809 (for, as was stated by the hon. gentleman in consequence of the reduction of the Prince of Wales's income, that of the Princess of Wales had been reduced to 12,000*l.* which with 5,000*l.* she received out of the Exchequer, made in all 17,000*l.*) he found her in debt, and that the income which she received had not been sufficient to keep her out of debt. At that time his Royal Highness said, rather than this should be thrown on the public, he was ready to take on himself the payment of her debts, and to add 5,000*l.* to her income, making it in all 22,000*l.* provided that he had any reasonable assurance, that no debt contracted by her should in future be brought forward against his Royal Highness. Rather than bring this subject before, parliament, he consented to pay her debts, and to grant an addition to her income to secure her from the necessity of contracting debts in future. I trust the House will feel the delicacy with which the Prince of Wales acted in thus withholding from parliament and the public the discussion of this subject. At this time there was a solemn deed prepared, assuming the separation of the parties, which gave his Royal Highness the security of his Majesty and his Majesty's ministers, that he should be freed from future debts on making the proposed addition to the income of the Princess of Wales. This addition was then accepted as sufficient. At the time I allude to, the Prince of Wales had an income of 120,000*l.* which, after deducting the property tax, amounted to 108,000*l.* From the high and delicate regard of his Royal Highness to the interests of his creditors, although many of his debts were contracted at a period of life which rendered them extremely questionable, he devoted the sum of 40,000*l.* annually towards the payment of his debts. After deducting the property tax, and the sum set apart for the payment of his debts, the revenue of the Prince of Wales amounted to 70,000*l.*; but even before the addition to which I have alluded, 12,000*l.* out of that 70,000*l.* was paid to the Princess of Wales, so that the 5,000*l.* additional allowed in 1809, with that 12,000*l.* made in all a deduction of 17,000*l.* from the income of the Prince of Wales, reducing it to 53,000*l.* The debts of the Princess of Wales amounted to 49,000*l.* (they amounted in reality to 80,000*l.* but they had been reduced to the former sum in consequence of a grant from the droits of Admiralty); and the Prince took that debt on himself, and undertook farther to set apart 10,000*l.* a year to liquidate that debt, reducing himself to the sum of 43,000*l.* of income, as Prince of Wales; and this, with 13,000*l.* which he derived from the duchy of Cornwall, was the whole sum on which he was reduced to live. I have no doubt that the House will agree with me in thinking that he made a very large provision for the Princess of Wales, when his own income was merely 53,000*l.* in allowing her 27,000*l.* a year. However the House may feel with respect to the adequacy of this income at the present period, whether she is now liberally provided for or not, I question if ever there was a husband who made greater sacrifices for the comfortable establishment of his wife than the Prince of Wales then did. However the conduct of his Royal Highness may be tortured, and whatever unfavourable constructions may be put on it, I defy any person to say that he ever betrayed any thing of a vindictive nature towards her, or the smallest wish to interfere with her social comforts. On the contrary, he made sacrifices which no other husband in the land, had he been brought before parliament, would have been called on to make. So far from the existence of the colour of mind which has been falsely attributed to his Royal Highness, if he could have possibly increased her income without being supposed to be truckling with the base attacks which were continually made on him, he would not have waited for the suggestion of his ministers, had she disentangled herself from the base cabal by whom she was surrounded. With the greatest satisfaction he would have entered into the feeling of her wants himself—and not have suffered his family to be dragged, as it has been, before the public. His Royal Highness has not made the addition hitherto, and the House will see why he did not. He was not disposed to perform an act of indulgence, till he had performed an act of justice; or to give that to the Princess of Wales which her creditors had a title to enjoy. Till the month of January in this present year, the 10,000*l.* annually has been applied in extinguishing the 49,000*l.*; and his Royal Highness considered that her creditors had a claim on him for that sum. I have not seen, till the present day, any moment when his Royal Highness could, with propriety, lend himself to any object of a pecuniary nature, which the Princess of Wales might have had in view—and when that object was masked and covered by attacks against the Prince Regent. And in my opinion his Royal Highness's ministers would have disgraced him, had they advised him to listen to any question of a money nature when his honour was attacked. It was our duty to brave all these attacks; but in a country like Great Britain—a country of truth and justice—we felt that a moment must come when the truth would be apparent—when justice would be done to the sentiments of his Royal Highness—

and when we might with propriety call on the parties to say, if money was their object, whether it had ever been refused? and when we might assert, that there never was a feeling in his Royal Highness's mind, to make the Crown an instrument for placing the Princess of Wales in an uncomfortable and embarrassed situation.

Sir, it is with the greatest struggle of mind that I have been able to bring myself to trespass so long on the attention of the House. But if there is any regard in the House for the family which brought liberty with it into this country, and preserved it amidst all the struggles which have rent and torn so many other parts of the world, they will not lend themselves to an attempt to degrade that family in the eyes of the nation, and suffer their names to be bandied about, in a way which would not be tolerated in the case of the meanest family in the country. With respect to the hon. member's suggestion, I have no objection to meet any proposal which may be hereafter made on the part of the Princess of Wales; but I must object to the present motion, as being so little calculated to lead to the object which the hon. member professes to have in view, because I am satisfied that nothing advantageous could grow out of it, and that, on the contrary, it would be the means of introducing those circumstances of degradation which we all lament should ever have been brought before the House or the country. It is impossible, therefore, that on the part of the crown I should ever give my consent to a proposition so little expected as that of the hon. gentleman, and so little agreeing with the shape which he now gave to the question. But if it is the feeling of parliament, that the establishment of the Princess of Wales should be placed on a footing more agreeable to her feelings, and suitable to her rank, and if this question shall be separated from those circumstances under which it has hitherto been veiled, I have no hesitation in saying, that I shall, on a future day, be enabled to give that consent which is necessary on the part of the crown to give effect to the wishes of the House. In doing this, the House will, I have no doubt, feel, that they are doing little more than his Royal Highness has already done out of his limited means, when the feelings of reluctance towards the Princess of Wales must have been in full force, and that if the arrangement, which may be hereafter given, has not taken place earlier, it is merely because those who conceived themselves, or pretended to be, the friends of the Princess of Wales, advised her to claim that arrangement on grounds which were not tenable, or because they had other objects in view; and that it is only now, when they were pleased to be more candid, after doing irreparable mischief, by unnecessarily agitating the feelings of his Royal Highness and the country, that such a proposal could with any propriety be listened to. On these grounds, I must resist the present motion, but, as I have already stated, I shall, on a future day, be authorized to give the consent of the crown, to such reasonable addition to the income of the Princess of Wales, as shall seem to meet the sense of parliament.

Mr. *Methuen* said, it had not been his intention, in moving for a grant of money for the separate establishment of the Princess of Wales, in a manner suitable to her dignity, to give up the claim of her Royal Highness to appear in the drawing room. He was glad, however, to hear from the noble lord, that it was his intention to agree to this grant to her Royal Highness; and with a view to the furtherance of that object, he would consent to withdraw his motion.

Mr. *Whitbread* rose and said:

Before I can give my consent to the motion of the hon. member being withdrawn, I feel it incumbent on me to take some notice of several things which have fallen from the noble lord opposite. The noble lord has hardly done justice to the Prince of Wales and Regent; he has hardly done justice to himself and his former colleagues; and he has done the greatest injustice to the nation, whom he has described as acting in a cabal against the Prince Regent. (Cries of No, no! from the opposite side of the House.) The noble lord's words, whatever may have been their meaning, were as general as those I have imputed to him. The noble lord was also pleased to make use of some expressions, which I feel it my duty to animadvert on; he was pleased to call myself, and those who act with me, the friends of the Princess of Wales in this House, and to state that we had objects in view which we durst not avow. He was pleased to state, that the object of all the motions which on former occasions have been made relating to the subject now before the House, were all neither more nor less than a mask for obtaining money. I do, on my own part, most solemnly declare, that I never had any such object in view, as that imputed to me by the noble lord; and I do farther solemnly declare, that the Princess of Wales has never had any such object in view, from the first moment that I had an opportunity of knowing in any manner what her sentiments or wishes were, up to the present day. I do therefore disclaim, on the part of those gentlemen who have been in this manner aspersed along with me, that we ever had any other object in view, than the vindication of her honour from the persecution with which she was assailed, and which the noble lord now contrives to turn into a persecution carried on against the Prince Regent. I do declare, on the part of her Royal Highness, that it is her honour alone which it has been, and is, our endeavour to defend, and that no person on her part was ever empowered to barter for any means in the power of the noble lord to propose, what her right entitled her to. Can I fail being astonished to hear the noble lord say, that the sovereign of this country possesses an undoubted right to receive or refuse those who may appear at court, and to stigmatize those who may appear, by the withholding from them his grace and favour, or otherwise? When the minute was drawn up, to which the names of the noble lord and his colleagues were affixed, advising the King to receive the Princess of Wales at court, was it not because they knew that this was the constitutional mode of proclaiming the innocence of her Royal Highness to the world? Is there any other constitutional way in which the ministers could advise, and the Regent execute, the wishes of his royal father? Is he not at present executing the government in the name and on the behalf of his Majesty?—though the noble lord would now have us forget and lose sight of his Majesty, and consider, in future, only the feelings and wishes of the Prince Regent, and not in any way to look to the King. I confess I am surprized at the conduct of the noble lord, and of those who, along with him, advised the King to proclaim her innocence, by receiving her into the drawing-room.

Another part of the noble lord's speech, in which he talks of the cabals fomented by her royal highness against the Prince Regent, seems to me not a little extraordinary. Has the noble lord then forgotten—sure I am if the noble lord has forgotten, the country has not forgotten—the obligation which it had to him on that occasion? —has he forgotton that, about a twelvemonth ago, he generously interfered to rescue her royal highness from a cabal, by which her honour and her life were threatened? Has he forgotten all the circumstances which took place upon that occasion? I am deceived if the noble lord did not go the length upon that occasion of tendering his resignation to the Prince Regent, if an end should not be put to the unworthy proceedings then set on foot against the princess of Wales. Was not the noble lord then aware of a conspiracy against the princess of Wales? And when the noble lord talks of the press being employed as a vehicle of calumny against the Prince Regent, does he forget how the press was on that occasion employed against a woman who had lost all her friends and protectors? The noble lord had credit with the country at that time for the goodness of his intentions, and for having saved her Royal Highness from that unworthy persecution. The noble lord laid great stress on the circumstance of her Royal Highness being beset by what he called improper advisers. When a person has been so treated as the Princess of Wales has been; when those who once assisted her with their counsels have all fled and gone from her, is it to be wondered at, that a person so destitute and abandoned as she has been, should be approached by persons not worthy of her confidence? When those persons whom she supposed worthy of her confidence had proved themselves not worthy, would the noble lord now wish to persuade the House that they ought to visit the iniquities of those friends on that deserted and defenceless woman? But the House, I trust, will not permit it.

With regard to the rights of her Royal Highness, the noble lord comes forward and tells us, that she has no rights, and that she is entirely dependant on her husband. Then her Royal Highness is the only person in the country to whom no protection can be extended! She is to be exposed to the mercy of whatever vindictive feelings may be entertained against her, and that without the least hope of redress! Among the blessings which the country, through this House, enjoys, it is as much owing to the publicity of discussion, as to its acts, that we are indebted for our security and freedom. I say, that it is to this publicity that the safety of the

Princess of Wales is to be attributed; that it was owing to the discussion in this House, that there was brought to the knowledge of the noble lord, and of the country, the proceedings of the cabal which he then checked. And I, who then interfered accidentally in the debate, shall always look back with a degree of satisfaction to that interference, when I consider that I was one of the instruments of her salvation. But is it fair in the noble lord, after all these proceedings, in which he bore so conspicuous a part, to come forward to the House and say, that the only object of the Princess of Wales has been to obtain money, and that she and her friends were now taking off the mask? I do declare, that I never had in the least degree a compensation in money in view; and if I were asked if any sum could be a compensation to the princess of Wales, for the feelings of mortification which she has experienced, I would without hesitation say, that all the wealth in the world was in my estimation insufficient. And when the noble lord repeats, that there is nothing vindictive in the treatment of the Princess of Wales—I will ask the noble lord, interdicted as she has been from all communication between her and her nearest relations at present in this country, what name he would give to this treatment? I will ask him, if he considers it nothing to be excluded from all the joy, from all the scenes of festivity which are the consequence of the establishment of peace throughout Europe? If now, when she is bereft of her father, who bore a part in the great battles of his time, and who fell in the service of Europe, her nearest relations have gone from the country without seeing her, and the whole to her has been a scene of solitude and mortification, is this not to be considered as a punishment inflicted on her Royal Highness? Does the noble lord think the Princess of Wales has no claim to any thing but money?—that she ought to forego her other rights?—does he contend that she has no right to be present at the nuptials of her daughter?—that she has not the right to be crowned as consort of England, when the event happens which may call for such a coronation? If the Princess of Wales possesses a spark of dignified feeling, no sum on earth will ever purchase from her the dereliction of those rights. Neither would the country be contented that for any income whatever she should consent to forego those rights.

The noble lord has talked a great deal of the debts of the Princess of Wales, and of the liberality of the Prince of Wales; and I do not mean to reproach him with any want of generosity before he came to be Regent. But twice before the Prince of Wales applied to parliament for money; and, during these late years, we have been from year to year providing for the deficiencies of the Civil List, and we are now conniving at a great excess of the Civil List in the demonstration of joy which we have been witnessing. In talking of the debts of the Princess of Wales, therefore, it surely never could be the intention of the noble lord to induce us to consider it as a matter of blame or accusation against her. She became once, it is true, involved in debt; but after the experience which she had, she profited by it; and when she found that from the increase of the price of the necessaries of life, retrenchment became necessary, she met the necessities of the times by that retrenchment; and she was enabled to do this by the affectionate conduct of her servants to her. This conduct, on the part of her royal highness, enables me now to say to the public what the hon. mover has already stated, without any communication with her on the subject, but from the enquiries which he has made, that she does not at present owe one farthing in the world. Is not that circumstance creditable to her Royal Highness? Is there any person to whom the country equally looks up, who can say the same thing? Notwithstanding what has been stated by the noble lord, that the House should not feel itself treated with disrespect in regard to the intended marriage, when the sovereign of the Netherlands communicated to his people that a marriage was concluded between his son and the heiress of the British throne, and when a communication had even been made to the Princess of Wales by the person who was to be her future son-in-law, is it too much to say, that we also had a right to a similar communication?

The noble lord tells us, that though it has been asserted, that the marriage was broken off in consequence of the refusal to admit the Princess of Wales to the drawing room, the marriage was not in reality broken off till after the affair of the drawing room was passed by, and that it had no connection whatever with the rupture. I do not myself believe that it had. Having heard this rumoured, as the cause why the marriage was at an end, I was at some pains to make enquiries into the subject, and, in consequence of the information I so acquired, I am led to believe that the marriage was broken off on account of the present situation of the Princess of Wales. If so, the situation of her Royal Highness becomes of the greatest political importance to the nation; and it is impossible to separate that situation from the political relations of the country. When the noble lord tells us that the affairs of her Royal Highness ought no more to be dragged before the House than those of any other individual in the country, I answer, that it would be impertinent in any individual to intrude his affairs, or the affairs of any other person, on the attention of this House, and that therefore they cannot, and ought not to be discussed in it, but when the affairs of the royal family are brought forward, it is because that family is the property of the nation.

When the noble lord asserts that the House of Brunswick gave us our liberties, he forgets that we possessed liberties before they were called to the throne: he forgets that we selected that House, not to bestow, but to maintain our liberties. With such notions the noble lord seems ill calculated for one of the advisers of a British sovereign; and if he should on this or any other occasion recommend his prince not to satisfy the loyal and reasonable wishes of his people, let him beware of the responsibility that he takes upon himself, by pursuing a line of conduct so unconstitutional. Of all others the noble lord appears most calculated to do justice to the feelings of the people of England: it is not long since, on his arrival in this country, and on his entrance into this House, after the completion of events of great political importance, he was greeted by all parties with the warmest applauses. Did the noble lord feel within his heart the proud reflection of meriting those applauses; did not his breast swell with conscious pride? Surely he could not have felt it, or if he did it is but an ill compliment to call the same universal ebullition of popular sentiment, when directed in disapprobation of any proceeding, by the opprobrious epithets of cabal and conspiracy. Under these circumstances, when it is known that the Princess of Wales cannot subsist upon the income already allowed, I should be glad to see the House of Commons adopt her by voting an augmentation, but never let it be given—rather let her Royal Highness suffer all that penury can inflict, than bestow it—as the purchase of any of the undoubted rights she possesess. 'Never let us hear of such base commutation.' Her Royal Highness never entertained such degraded notions, and before God I protest, that for one moment they never influenced me. Let the noble lord recollect a former occasion when the Princess of Wales was dragged before the public and the House; let him recollect that at that moment a change of administration took place, and that he continued a colleague of the individual who was at the head of the government until the day of his death; and then I ask him how he can arraign us, with common justice and decency, for doing that now which he and his colleagues were then about to effect?

But it should seem from the statement of the noble lord, that an opportunity has never been afforded to the Prince Regent, or to his advisers, to perform that which now the noble lord expresses his willingness to recommend. Was no opportunity afforded of increasing the income of the Princess of Wales at the time the Regency was established, before any of these discussions had taken place? Aye, but replies the noble lord, the Prince Regent ought not to do an act of justice under such circumstances. Why? Because it would seem as if he truckled to the debates that have taken place in parliament—as if he yielded to the cabals and conspiracies that were formed throughout the country. I remember that a right hon. gentleman, whom I lament that I do not now see in his place, and whose advice we should have all been glad to receive (Mr. Canning), on a former occasion, when it was said that the time might hereafter come, when it would be necessary to make some parliamentary provision, reproached the noble lord with not having made an adequate provision for the Princess of Wales on the establishment of the Regency. Why, I ask again, did not the noble lord then advise it? Was not that an opportunity? Why did he not avail himself of it, especially if he knew that the separation between the Prince and Princess of Wales was final, conclusive and irremediable? The noble lord has said a great deal to prove the impossibility of these royal personages ever reuniting; that an insuperable barrier is raised: we cannot but lament the fact, but it is not what the country desires or demands: it is not for that purpose that the House of Commons interferes—no questions of this nature would ever have been brought forward, if common justice had been done, or if common decorum had been observed, and all parties would this year have been spared the repetition, if the Prince Regent, or his advisers, from whom it is impossible to separate him, had not designedly put upon the Princess of Wales an indignity, which an almost broken spirit could never brook, and the effect of which we are endeavouring to prevent. There are achings of the heart for which there is no remedy; there are wounded feelings for which there is no balm, for which all interference, all aid is vain; but as long as in this House we retain a power of expressing our sentiments, in spite of all the taunts that may be thrown out, and all the odium that may be incurred, I shall continue to give a vent to my feelings; as long as there remains to parliament, that power of succouring all, from the highest to the lowest, I shall, I hope, without fear, plead the cause of the injured: the Princess of Wales is an injured woman; she is not so high as to be above the reach of parliament, nor is she, nor can she be so low, as to be beyond its power to do her justice. These are the considerations that have influenced me throughout my conduct. I have no motive but that of protecting the unjustly oppressed. I have uttered no word, and have been parent to no sentiment upon this occasion, which I shall ever disavow, or from the maintenance of which I shall ever shrink. I shall be glad to see the House of Commons adopt the Princess of Wales, by giving her that protection which her innocence and her desertion claim: let it augment her income, but I protest in the name of justice, against depriving her of any of the few rights, that may remain to her in her present forlorn and pitiable condition; if the House does not make any provision for her, she must be considered in future as an unhappy female, deserted by her natural protectors, —deserted by parliament and the country. What I require for her Royal Highness is, that as long as she maintains that character which she has been pronounced from the highest authority to merit—being innocent—I demand that she should be allowed the privileges of innocence. If the House of Commons assents to a grant of money, I shall be rejoiced at this testimony of its approbation; but it shall not silence me if, on any future occasion, I shall think the Princess of Wales aggrieved: I will not allow, as far as I am concerned, that it shall bury all these transactions in oblivion, and I will not consent to any augmentation of the income of her Royal Highness, on any other grounds than on those which I have now stated.

Lord *Castlereagh* said, in explanation—I hope that the hon. member will not attribute to me any want of gratitude, for the distinguished favours I have received from the House and the country; I trust I feel them as I ought. It is not my disposition to impute to any member unworthy feelings and motives, still less to the hon. gentleman opposite. I am convinced that he never has had any sinister purposes to answer, but I believe most conscientiously, that he and others have been made the instruments of a wicked cabal, and the channels for conveying insults to the sovereign. With regard to the seclusion of her Royal Highness, I must say, that if visits were not paid to her by the august personages at present in this country, those visits had not been prevented by any want of facilities afforded by the Prince Regent. As to what has been said of the conduct of a young and illustrious female, I am sure the House will feel, that it cannot be consistent with its duties or its feelings, to enquire now into her sentiments; I may safely leave the hon. member himself to judge whether it be fit that she should be made a judge and arbiter between the parties in these unfortunate transactions. With great personal respect I hope the hon. member will allow me to say, that subjects like the present, in any view, he is not likely to bring forward again to any useful purpose. I was misunderstood, if it be supposed that I said I was authorised to give the consent of the Prince Regent to any arrangement that might be made: but I did venture to say, from the knowledge I have of the principles which govern his Royal Highness, that money has never been any difficulty, and that if it be the sense of parliament that the income of the Princess of Wales should be increased, consent on the part of the crown will not be withheld. As to any former conspiracy, with a knowledge of which I am charged, I declare my perfect ignorance. Enquiries may be instituted, independent of any conspiracy; and one of the happy consequences of the form of our constitution is, that not even a conspiracy for the purpose of enquiry can cast an imputation of guilt, unless there exist reasonable grounds of suspicion. I certainly was never acquainted with the existence of any thing that may be properly termed a conspiracy. After the statement I have had the honour of laying before the House, and after the result of previous discussions has been seen, I really would entreat the hon. gentleman to inform me, whether further discussion in parliament is likely to promote a beneficial conclusion?

Mr. *Whitbread.*—After what has fallen from the noble lord, I hope I shall be allowed to say a few words. I am much obliged for the personal civility shewn me by the noble lord, but I can assure him that I shall endeavour to discharge my duty, without being deterred, although I feel great respect for him, by any fear of incurring the noble lord's displeasure, or by any alarm of clamours that may be excited. No one can be more averse to discussions like the present than myself, and I lament that they have been forced upon the House by a deficiency of good advice, in a quarter that might have rendered them unnecessary. In what I have done, I have acted upon the principle of absolute necessity. I concur in what the noble lord has observed regarding the heiress presumptive to the throne. I have no intention, and never had, of obtaining or promoting the interference of her Royal Highness; I have stated what I have the best reason to believe is the fact, and what I should assert that I knew to be the fact, were it not for the significant shake which I observe of the noble lord's head. The unhappy differences which have been carried to such an extremity as to be irremediable may, I fear, be attended with political consequences, not in contemplation when the formal instrument to which the noble lord has referred, was prepared and executed. To what the noble lord has asserted, that every facility was afforded to the illustrious strangers to pay their visits of ceremony to the Princess of Wales, their royal relation, I can only reply, that the universal impression abroad is directly in opposition to that statement. With regard to a conspiracy for enquiry, on which some explanation has been offered, I admit that where there is a suspicion of guilt, there enquiry may deserve applause, but the enquiries that were instituted last year, were understood to be wholly unauthorised, and had no legal or constitutional shape: they were carried on in a dark, mysterious, and unjust manner, and when the noble lord heard of them by means of the discussions in this House, he interfered to protect her Royal Highness, and by his interference they were defeated; he knew that there were no fresh suspicions of guilt not canvassed in 1806 and 1807, and upon those charges the noble lord had given the Princess of Wales his verdict of acquittal. I did not mean to employ the word conspiracy in a legal and technical way, but merely to convey that there were persons in the dark undermining her Royal Highness and planning her ruin and destruction, whose efforts failed in consequence of enquiries in this House. I hope that the noble lord will not now call that completely constitutional and legal, which he before so severely and positively condemned.

Mr *Methuen.*—In justice to the Princess of Wales, I feel myself called upon to state, that I have not had any communication with her Royal Highness. I should, I trust, be the last man in the House to propose an increase of income, if the consequence were to be the resignation of any rights on the part of that illustrious personage.

Mr. *Stuart Wortley.*—After the address we have this night heard from the noble lord, which does him as much credit, as a man and as a member, as any speech that was ever delivered in parliament, I should not have risen, but that the line of conduct I have pursued on a former occasion seems to render it necessary. I never for a moment imagined that the effect of discussions of this kind would be to reconcile the parties, and I thought that this was not the fit place for attempting an adjustment of differences, to which the public ought not to be made parties. The noble lord has said that this subject has been introduced for the purpose of calumniating the Prince Regent, and for dragging into public notice the characters of the most illustrious individuals. I put it to the conscience of the noble lord to say how it was first introduced. Was it not occasioned by rumours, or rather by certainties (for every man was evinced of the truth) that enquiries were going on which affected the feelings and hearts of every individual in the country? These enquiries compelled the discussion of this painful subject. I put it likewise to the conscience of the noble lord, whether tranquillity had not been restored in the public mind upon this question, until the feelings before existing were awakened by the publication of documents, galling to all, but most galling to the illustrious personage immediately concerned. I say, then, that ministers must not be surprised if a strong sensation is produced on the public mind, on an occasion like the present, nor must they be astonished, if in the House of Commons some means are found of expressing the public opinion.

Mr. *Tierney.*—The noble lord having alluded to what fell from me on a late occasion, I shall trouble the House very shortly with some reasons that induce me to beg the hon. member not to withdraw his motion. The noble lord observed, that on what I said on a former night, I alluded to the possibility of parliament being called upon to come to a vote for an increased establishment for the Princess of Wales. It is perfectly true, but I should be extremely sorry if, from that circumstance, it could be imputed to me that I thought any sum would be sufficient to compensate her Royal Highness for the cruel injuries that have been inflicted upon her feelings. All I meant was, that parliament being bound to do something, the most moderate, mild, and efficient course would be to provide for her establishment; not because the sum given would add to the domestic comforts of her Royal Highness, but because in the Commons of England she would then find a protector, recognizing her as Princess of Wales, and performing those offices that others ought to discharge. I hope also that the hon. gentleman will not consent to withdraw his motion, because if he did so, I should think parliament would separate with very little honour to itself.

Let us see how the case stands: the Princess of Wales sends to us information, that, by a message from her Majesty, she has been forbidden to appear at court, and that intelligence is accompanied by a correspondence, which the House might or might not have received, but having been received, it now lies upon the table, and the House of Commons is bound in some way to notice it. I may safely defy the noble lord to produce any precedent where the House has refused to attend to an application made by any branch of the royal family. We are bound to take it into consideration, even though the result should be only to provide a befitting establishment for the Princess of Wales. Much I think is done to satisfy the feelings of all classes of society in the country, by merely considering the subject. When the noble lord says, that this House has no right to interfere in transactions of this kind, I am sure, Mr. Speaker, that the assertion must have been extremely painful to your ears; it is the first time that such a doctrine has been broached, for I have often heard it maintained, on the contrary, that there was nothing so high that the eye of parliament could not reach, or so low that it could not fathom. Then comes the question, is this an occasion where discretion authorizes an interference? If it be not, I should be glad to know what is? A step has been taken to outrage the feelings of an exalted individual; she complains, it is entered on the Journals, and if no further notice be taken of it, there can be but one opinion out of doors, as to the motives for this silence. Gentlemen were, however, to go away with the notion that something would be done by the Regent; but the noble lord has taken care to be most guarded in his language upon this point. I admit, very readily, the general kind disposition of the Prince of Wales, but of his particular kindness to his wife, the Princess of Wales, I must beg leave, with all respect, to entertain some doubt. I beg the House to recollect, that but for the conduct of the Prince Regent, the House would never have been engaged in this painful discussion, nor would the public mind now have been agitated. The noble lord has referred to a document, formally establishing a separation, signed by the King, the Prince and Princess of Wales, and others. Let me ask him, if there be one word in that agreement which declares that the Princess of Wales shall not appear at court (expressions of surprize by lord C.)? The noble lord may cry oh! but I maintain that that is the whole pith of the question. (Hear, hear, from the opposition benches!) Any woman may agree to articles of separation; but does the noble lord mean to say, that in that paper there was a syllable which could savour of an admission that the conduct of the Princess of Wales had subjected her to the slightest censure? If not, then I insist that something new must have since occurred to justify the provocation which her Royal Highness has lately received. We say that an indignity is put upon the Princess of Wales. The defence of the noble lord is, that a formal separation has taken place that justifies the proceeding. My answer is, that subsequent to the date of that instrument she was formally received at court, and that if the King had imagined that the effect would have been to exclude her, his Majesty, I am certain, would never have signed it. Then I demand to know what has happened since to justify this exclusion? Let the noble lord tell us if he can. There has been a most cruel and unprovoked insult offered to the consort of the sovereign authority, at a time most galling to the feelings of all the royal family; to accomplish which the queen, who must be supposed to be best acquainted with the sentiments of the king, has been made the instrument. If her royal husband had been in possession of his faculties, would they have dared to add this fresh contempt? The noble lord must know that advantage has been taken of particular and unfortunate circumstances to get rid of the Princess of Wales, and to degrade her in public estimation. I really believe that the august personages, lately in the metropolis, were desired not to visit her Royal Highness, or if not, what does it prove but that the general reputation which artifice has raised her, is such that her near relations had been deterred from discharging even the common duties of civility?

Where, then, is the Princess of Wales to seek for redress but in this House? What friend has she in the world to console her under her sufferings? Her condition is the most forlorn that imagination can picture. A foreigner, deserted by all her natural friends and protectors, she claims the aid and support of the Commons of Great Britain. I say that when she was married in this country she was adopted by parliament: parliament is her guardian, and I hope it will faithfully execute the trust reposed in it. Now, let any man contradict me if he can—thus stands the law upon the subject. This royal female is brought to England, is recognised as Princess of Wales by act of parliament, and a jointure of *50,000l.* a year is given in the event of her surviving her husband before he ascends the throne. Will any man say, circumstanced as she is, that she can be looked upon in any other light than a widow? She has been discarded by her husband. Why she has been so treated, with the question of guilt or innocence, I have now nothing to do. I allude to nothing I have heard, I am bound only to act upon this plain principle, that a person who has not been proved to be guilty is to be treated as innocent. Will, then, any man say when an appeal of this kind has been made, when the Princess of Wales, abandoned by all the world, throws herself upon the protection of parliament, that the House shall pass the subject by and not take any step upon the occasion? I wish nothing to be done but that which is strictly just: I wish for a thorough acquittal of the Princess of Wales from base insinuations, since no direct charge can be substantiated; I wish her to be restored to her character, and to be allowed the means of supporting her rank and station. Instead of withdrawing the motion, what I would suggest is this, that the question should be postponed, with a view to give time to the noble lord to be the bearer of a message upon the subject from the Regent.—(No, no, from lord Castlereagh.)—I see that the noble lord will not consent. I suppose it is, because he will advise his royal master to do nothing that shall seem like truckling to the wishes of parliament. That I take to be a new doctrine, so that if the innocence of the Princess of Wales be proved, it is not to be admitted where it is of most importance, because it will be called yielding to hasty motions in parliament, or truckling and submitting to public calumny! We might as well live in the reign of Henry 8, if such are to be the principles on which the crown is to act.

Is it meant to be said that parliament has nothing to do with questions that agitate the public mind? Is not parliament the guardian of all the best interests of society, of the public manners, morals and decorum? Has this question no connection with the public manners, morals, and decorum? The very essence of our privileges is that they are undefined, and may assume what shape they please. I defy any man to shew me any question in which parliament may not advise the crown, if it be necessary for securing the public interest. I say that in this instance the public interest imperiously calls for our interference. If the letter of the Prince Regent had said that he would never meet his wife in private, we should have had nothing to do with it, but he adds, that he never will meet her in public. What, then, is to become of the Princess of Wales? If her Majesty dies, who is to hold the drawing-room, and who is to be our future queen? The noble lord smiles: he may have settled all this, but without meaning to put it in a factious way, I insist that it is of the last importance that parliament should entertain the subject. The noble lord seems to have a great deal of information in store—let him give it—my whole object is, that if she deserves it, the Princess of Wales should be put in such a situation as to be able to discharge in future the public duties that fall upon her, by being enabled to appear with credit at any drawing-room that may be held. I never said she ought to force her way into the Queen's drawing-rooms, but this I will maintain, that if she does not go, her absence is not to be attributed to any want of merit on her part, to any positive demerit, and still less to any imputation of guilt.

Upon the subject of the princess Charlotte of Wales, I am little disposed to say any thing; I have no means of access to her person: I never spoke to the princess in my life; but I must be forgiven if I say, that if the feelings of affection of the young princess, by what has passed, have been strongly roused, it gives an earnest of conduct in future to her subjects, that will confer upon her the highest honour, and upon her people the greatest blessings. I lament that parliament did not, last year, take some step. This fresh insult, offered through the queen, at the instigation of a secret adviser, might then have been spared. It therefore becomes us now to interpose; we owe it to the royal family; and I contend that, if we do not, we shall most deliberately betray the trust that has been reposed in us by the country, in which there is but one feeling from one end to the other.

The noble lord made a great parade; but I must say, that in a pecuniary point of view I do not think the Princess of Wales has been kindly treated. When she lived in Carlton house she had 17,000*l.* a year, besides her 5,000*l.* and yet, when she had to maintain a separate establishment, with all its increased expences, her income was reduced to 12,000*l.* a year. The noble lord says, what could the Prince do more? I answer, that he could have referred it to parliament, and what motive was there for not doing it? Parliament never knew of these debts of the Regent, now so much talked of, for Mr. Perceval so wrapped them up, and made such an involved statement of them, that they were never discovered. Those debts amounted, we understand, to between 4 and 500,000*l.* and at the time of the Regency 60,000*l.* per annum was given, besides the proceeds from the Duchy of Cornwall, to provide for their liquidation, and what the Prince paid for the sums due from his wife was not deducted out of his income, but only out of the sum that would otherwise have been applied to pay his own creditors. So that the expences of the Princess of Wales were not paid by her husband, were not paid by the public, but by the creditors of the Prince Regent; and I appeal to the House, whether this is a situation in which it is fit that the future queen of this country should be placed?

Although I would not advise her Royal Highness to demand the payment of 50,000*l.* a year, provided as her jointure, yet I think that she has an unanswerable claim to it, and she has the more need of it to maintain that splendour and state which will protect her in some degree from the efforts of the promoters of cabals. The noble lord said, that a suitable provision may possibly be made. Will that satisfy the House? They virtually acknowledge that the treatment of her Royal Highness has been proper, and then at the end of this session, or perhaps not until the next, the noble lord may come down with what he calls a suitable allowance. Nothing in my opinion can produce in this case a better effect, than for the House to shew that it takes an interest in the question; and if this motion be withdrawn, it will be obvious that in its result it takes no interest whatever. Considering the time that has elapsed since this question was first introduced, recollecting the willingness the noble lord now professes to add to the provision of the Princess of Wales, and observing the heated state of the public feeling upon this question, it must be admitted that ministers have been grossly culpable in not endeavouring to put a stop to further discussions by conciliatory proposals. The public feeling has been now raised to a great height, and what will induce it to subside I do not know;—assuredly the country would not be satisfied, if an injury like that sustained by her Royal Highness should go unresented. I say that her claims are rested upon grounds not to be shaken; and I am confident the House will not tamely submit to insults offered to its future queen, the cause of which has hitherto been unexplained. I flatter myself that we shall not separate without doing something to restore the Princess of Wales to that comfort which she has every right to enjoy, if not to that splendour she has every right to maintain. Let us shew that we participate in the general feeling of the nation; that her Royal Highness is not without a protector, and that that protector is the House of Commons.

Mr. *Grattan* said, that he approved of the object of the motion of the hon. gentleman, because that object was, by an exertion of the ordinary power of the House, practically to repel the calumnies thrown on her royal highness the Princess of Wales. This object was to be effected, not by restoring her to her dignities, but by increasing the means of maintaining her establishment. But the object of the noble lord was the same, provided it could be done in a manner respectful to the Prince of Wales. It was proper that the Princess of Wales should be supported by parliament, provided for by parliament, but not in such a manner as to give her a victory over her husband. As the noble lord had in view the same object, not perhaps as the Princess of Wales had, but as the parliament ought to have, he was glad to accede to his suggestion, and to suffer the motion of the hon. gentleman to be withdrawn; because if the hon. gentleman persisted in his motion, and failed, he would injure the cause he espoused; and if he succeeded, he would do no more than the ministers consented to do. The dispute was about the manner, and the manner of the hon. gentleman would fail, while that of the noble lord would succeed: he could not, therefore, but prefer the manner of the noble lord. The case was this: papers had been communicated to the Speaker, and by him to the House, containing a correspondence, which stated that the Prince of Wales would not enter any company where his wife should be. What did this prove?—An entire separation in mind; as what had been said by the noble lord, proved a complete separation by instrument between the Prince of Wales and his wife.—By parliament, what course was to be taken, if they were to enter into the quarrel? (which certainly should never be done but in the last instance). To attempt to oblige his Royal Highness to take back his wife would be unjustifiable—to interfere to procure her admission to the queen's drawing rooms, was a power which it might be doubted whether or no it was within the province of the House to exert, it being a matter not strictly political, but comparatively trivial. How, then, could the House act, but by providing for the lady—by declaring, that as she was not admitted to share in the establishment of her husband, parliament would give her one of her own? This he thought the best possible way of proceeding, for the interest of the wife, the feelings of the husband, and the dignity of the House.

Mr. *Methuen* wished to know the intention of the noble lord, before he consented to withdraw his motion.

Lord *Castlereagh* said that, as he found the sense of the House to be in favour of an addition to the revenue of the Princess of Wales, though he had no positive instruction upon the subject, yet from his general knowledge of the sentiments of the Prince Regent, he felt himself justified in giving his consent to any measure that had in view to effectuate that object.

Mr. *Ponsonby.*—I am glad at last to hear a pledge given by the noble lord, that the establishment of her royal highness the Princess of Wales shall be made a subject for the consideration of the House, though difficulties have arisen as to the mode of proceeding. I am glad, too, that I was preceded by my right hon. friend, because he has shewn himself as averse as I can be to a stretch of the jurisdiction of the House, for which now there can be no necessity, as by the declaration of this night, the purposes of the most sanguine friends of her Royal Highness must have been answered. In my opinion, it would have been most improper for the House to have interfered to procure the admission of her Royal Highness to the drawing room; but that we can interfere in a way most proper, no one now can doubt. The Commons of England, voting under the present circumstances an increase of allowance to her royal highness the Princess of Wales, in effect determine that she does not deserve to be visited by fresh insults and indignities, but that she is worthy of her high station, and that they therefore afford her the means of supporting that rank. Such a vote will be not only a virtual acquittal of her Royal Highness, but a condemnation of those who advised that most indiscreet letter, by which she was insulted. I am glad that the noble lord has found an opportunity for giving this pledge—and I will tell him why he has found an opportunity, because he perceives that parliament and the country loudly demand it.

Mr. Methuen then withdrew his motion.

## BILL FOR THE BETTER EXECUTION OF

THE LAWS IN IRELAND.] Mr. *Peel* said, that in rising to submit to the House the motion of which he had given notice, he felt it incumbent upon him to explain his reasons for not having, at an earlier period, called the attention of parliament to this most important subject. The state of Ireland had unfortunately for some time been such, as to call for the adoption of some additional measures in order to preserve public tranquillity, and he certainly was prepared, at a much earlier period of the session, to have submitted them to the consideration of parliament. The evil which it was now proposed to remedy, had not, he was sorry to say, risen on a sudden; it had existed for a considerable time, indeed, he might say, for the whole period that he had had the honour of forming a part of the Irish government. Many parts of Ireland had been in a disturbed state, excesses had been committed, and disaffection prevailed, which it was known that the ordinary powers of the law were insufficient to repress. He therefore was prepared early in the session, to have submitted the present measure to the House, but the great and glorious events which occurred at that time, the overthrow of the monstrous tyranny established by Buonaparté in France, the restoration of the legitimate sovereign, and the general pacification of Europe, induced him to suspend his proposition until he saw what effect was produced in Ireland by these important events, and he hoped he should stand justified in the opinion of the House, for having, under such circumstances, and for such an object, delayed the production of this measure: he did not wish that at a season of general happiness and rejoicing for the restoration of tranquillity, Ireland alone should form an exemption.

He was not, he confessed, very sanguine in his expectations of the effect that would be produced upon the tranquillity of Ireland, by the events to which he had alluded; but he thought the government of Ireland were bound to make the experiment, and to defer the measure as long as the necessity of the case would permit. With that view, the measure had been deferred, and he wished he could now state to the House, that these events which had restored tranquillity to the rest of Europe, had restored tranquillity to Ireland; unfortunately, the effect they had produced upon Ireland was not very great; he could not congratulate the House and the country upon the state of that part of the United Kingdom, nor could he, consistently with his duty, postpone the production of this measure till another session.

Before he submitted to the House the details of the measure which he now proposed to bring forward, he should beg leave very shortly, to state the nature of those disturbances, for which he now wished to propose a remedy. Those disturbances originated in different causes—the first that he should mention, were those which were the result of political combinations. In stating this part of the subject, it was far from his intention to exaggerate the objects which the persons so combining had in view, or the danger that was to be apprehended from them. He could not suppose that these combinations, which had for their object the overthrow of the government and the separation of Ireland from Great Britain, could find any supporters among men of any talents or weight in the country. These combinations consisted of idle infatuated people, with little education, and who were the dupes of men who possessed certainly more means of acquiring information than themselves, but still, he trusted, had none of those qualifications which could render them formidable, as the leaders of popular insurrection. But that these were combinations, whose object was to overthrow the existing government, to transfer the allegiance of the people to foreign powers, and for other objects of a similar kind, and that the individuals composing those societies, were bound together by oaths, there could not, unfortunately, be a doubt. In stating the grounds upon which he made assertions of this kind, he should rely only upon documents, the authority of which could not be questioned; he would not quote the verbal or written communications which had been made to government, which though in many instances were well founded, yet in others might be liable to a suspicion that they were exaggerated, from the fears naturally entertained by individuals from the appearance of immediate danger, and the recollection of past events. But to prove the existence of these combinations, he should only rest upon documents of unquestionable authenticity—he should refer to the oath, which was proved in evidence, at the last assizes in Ireland, against several persons charged with these combinations, and upon which they were convicted. Mr. Peel then read the oath, by which the person taking it, bound himself to suffer death rather than give any information against his companions before judge or jury; to join the French upon their landing in Ireland, &c. This oath proved that combinations certainly had been formed, the object of which was, to call in the assistance of a foreign power. So much for the first head of combinations, viz. those which were of a political nature. Another class of combinations, which existed in Ireland, were those which were formed under the pretence of redressing what was represented as local grievances. The objects of these combinations were various, though the mode of carrying them into effect was in most cases the same, to inflict punishment upon persons who disobeyed their orders, who gave more than the price which they chose to fix upon land, to prevent new tenants taking land, which any person belonging to the combination had given up; and for many other purposes which it was unnecessary for him to detail, as they were perfectly well known to every person at all acquainted with the state of the interior of Ireland.

He would, in order to prove the accuracy of his statement, and the existence and objects of the combinations to which he alluded, refer to the proceedings at the last assizes of Roscommon: at those assizes no less than nine persons were tried and convicted for having taken and administered oaths, binding them not to inform against threshers, and not to deal with Protestants, and to conform to the rules and regulations of the committees, under whose directions they acted. Upon this part of the subject, he was desirous to read to the House a letter from a most intelligent and active magistrate, who was sent down into the county of Westmeath, to make enquiries into the causes of the disturbances in that county, and to assist the resident magistrate of it by his advice and experience. The letter gives a very clear statement of the nature, objects, and proceedings of the deluded miscreants by whom the public had been disturbed. It was dated 23d March, 1814. "The disturbances in this county (Westmeath) appear to have commenced about the beginning of the year 1813, and have been rapidly increasing ever since, notwithstanding great exertions have been used on the part of the magistracy, to check and subdue them; the persons engaged in those disturbances, styling themselves carders, commenced their outrages by attacking houses, robbery of fire arms, and swearing the lower order to obey such rules and orders as should be dictated and pronounced by them. Their first objects appeared to me to be that of regulating the price of ground set in con-acre, to prevent old tenants from being turned out of their farms and to regulate the fees and dues payable to their own (Roman Catholic) clergy. To effect these purposes, they posted notices through different parts of the country, declaring vengeance against any person who should not comply with such their lawless dictates; if a tract of land was to be set in a con-acre, these lawless miscreants would fix a price per acre upon it, and any person giving more would certainly receive personal torture or suffer some injury in his property. I have examined into the cases of many individuals where personal torture had been inflicted, and I uniformly found it to proceed from some dispute relative to ground either by giving a price exceeding that fixed on by those miscreants, or by taking a farm of which the late occupying tenant had been dispossessed by his landlord."

He begged again that he might not be suspected of any disposition to exaggerate the extent of the danger to be apprehended from these combinations; he did not mean to say, that the details which he had laid before the House, were of such a nature as to prove any threatening danger to the connection happily subsisting between the two countries, but they were of a nature to call imperatively upon government to adopt measure, for the protection of the loyal, tranquil, and industrious part of the community; and this duty was the more necessary, and more strongly imposed on government, because, if protection was not afforded for the well disposed, they were reduced to the painful alternative, either of joining the insurgents, or of exposing their persons to torture, and their houses and property to destruction. But these combinations were formidable in another point of view—the persons combining, were now obliged, for the attainment of their objects, to observe a great degree of caution, and to maintain a strict discipline, and therefore, qualified themselves to become dangerous engines in the hands of able and designing men, to be applied to other purposes. So much for the causes which originated out of those combinations to which he had already alluded.—There was another species of disturbance of the public peace to which he alluded with unfeigned regret; he meant that which arose from religious animosity. Interruptions of the public tranquillity arising from such a cause, were the most to be lamented, and he feared the most difficult to be remedied. He would not now enter into the history of those unfortunate disputes, but he had the satisfaction to say, that notwithstanding the pains which had been taken in Ireland by means of the press and of inflammatory speeches, to induce the Roman Catholics of Ireland to believe that the Irish government was not disposed to administer impartial justice to them as well as to their Protestant fellow-subjects, that these efforts had in a great degree failed of success, and there was indisputable evidence to shew the lower orders of Catholics were satisfied, that government were determined to treat all offenders against the public peace, whatever religious creed they might profess, most impartially.

In order to give the House an idea of the extent to which this irritation prevailed, it was only necessary for him to allude to a melancholy and fatal affray which had recently taken place at a village in the county of Cavan; though the accounts which had been given of this transaction were greatly exaggerated, still the House would learn with deep regret, that it was not terminated until seven persons had lost their lives, and many were wounded. On hearing of this unfortunate occurrence, the Irish government not entertaining any doubt of, and still less wishing to throw any imputation of the competency of the local authorities to conduct an enquiry into the causes of it, with fairness and impartiality, but desirous of obtaining information from a source that would be free even from the possibility of suspicion or imputation, sent down a gentleman of the Irish bar, of the highest professional eminence, and qualified by his commission, by his talents, acuteness and judgment, Mr. Jobb, to examine into the subject. The report of that gentleman stated, that the unfortunate dispute which had occurred was not a premeditated one, that there had existed animosity between the parties, but that the outrage in question did not proceed from a previously concerted conflict. Mr. Peel then read an extract from the report which Mr. Jobb had made, to the following effect: "I should not consider that I had done my duty if I omitted to state, that both parties, and persons of every description, expressed great satisfaction at the interposition of government, and appeared to rely confidently on the impartial administration of justice as well on the enquiry as on the future trials." He read this with satisfaction, because it shewed that the wicked attempts which had been made to convince the people that justice would not be fairly administered to them, had not succeeded.

He had now enumerated the principal features of those disturbances which had so long agitated Ireland. There subsisted in Ireland many obstacles in the way of the ordinary administration of the law, and one of the greatest was the difficulty of procuring persons to give information to government, and evidence against the violation of the peace. There was in Ireland, if he might be allowed the expression, a sort of romantic feeling, independent of any consideration of personal danger, which rendered the name and character of an informer odious, and was almost sufficient of itself to close the ordinary sources from whence information could be derived.

This feeling, he admitted, was most powerfully assisted in its operation, by the dreadful system of intimidation, which was established in the disturbed districts with the view of preventing evidence from being given. As he had proved every assertion that he had hitherto made, by a reference to some authentic document, he should follow the example on this occasion, and shew the extent to which this system of intimidation was carried, by a reference to the most melancholy record which any court of justice could exhibit. He would allude to the case of a person of the name of James Connell. He saw an hon. gentleman, the member for Westmeath, in the House, and he was sure he would confirm his statement upon this subject; this unfortunate man (Connell) had given information against some persons for administering unlawful oaths—it was found necessary, after he had given information, to keep him in gaol for his personal security, until he was brought up to Dublin to give evidence. He (Mr. Peel) afterwards saw this man, and cautioned him against going back to his own country; he was, however, so desirous of returning, that no advice could restrain him, and he went home; he, however, had the prudence to remain some days in the house of lord Castlemaine, but upon the departure of that noble lord, Connell went to his own house. It would hardly be believed, but as soon as his return was known, from three adjoining parishes delegates were actually appointed to murder him. It was proved upon the evidence of one of the delegates, that in each of the three parishes, six delegates were chosen to commit the murder; that these delegates met at the appointed time, and selected nine of their number to perpetrate the act. They attacked the house of the poor man, and murdered both him and his wife. It was not necessary for him to make any comment upon this dreadful transaction, but it shewed to what a degree the feelings of the people must be blunted, and in what odium an informer was held, when it was considered little less than a praiseworthy act, to visit with deliberate and atrocious murder, the delivery of evidence in a court of justice.

Ater having entered into this detail, it only remained for him to shew, that the country was now in a disturbed state, and that the hopes which were entertained by some, that these combinations would be destroyed by the overthrow of Buonaparté's government, had proved unfounded. To prove this, it would perhaps be only necessary for him to state, that no less than seven persons had been taken up at no remoter a period than the 5th of the present month, in the county of Kildare, when actually engaged in one of these conspiracies to which he had at first alluded, as assuming a political complexion; and that that county was in a considerable state of alarm; that a large military force had been marched into it; and that it now presented an appearance which a country in a state of peace with the whole of Europe ought not to exhibit. In the Queen's county disturbances to a very serious extent existed, long after the occurrence of these events which procured the restoration of permanent tranquillity had prevailed; and here he begged leave to read a lettter which had been given to him by one of the members of that county, from a magistrate of it, which represented the disturbances in a very serious point of view. Mr. Peel then read the letter, and also an extract from one from General Merrick, stating the necessity of calling the military in aid of the civil power, in the county of Kildare.

He trusted that he had now shewn to the House, from documents that could not be disputed, that the ordinary powers of the civil magistrates were not sufficient to maintain public tranquiliity, or to give confidence and security to the well disposed. It would, in his opinion, be infinitely better to invest the civil powers with sufficient authority to repress those disturbances, than to call in the aid of the military, the frequent use of soldiers in that manner made the people look upon them as their adversaries, rather than their protectors. With regard to the measure itself, which he had now to propose, he did not wish to go beyond the necessity of the case, as he was anxious that it should have permanent operation, and that the Bill he should propose should form a part of the permanent law of the land. He by no means, however, meant to state it as his conviction that it was calculated effectually to meet the exigency of the case; he reserved to himself the full power of proposing, even in the present session, the revival of any of those provisions which had been enacted at former periods to meet temporary emergencies. He wished to keep the consideration of them distinct from the discussion of a permanent law, in discussing the principle of that law. He hoped that gentlemen would not suppose, that because such measures as these which he was now about to propose, were not necessary to England, that, therefore, they were not necessary in Ireland, for the state of the two countries, were essentially different.

He proposed in the Bill which he was now about to move for, to give to the Lord Lieutenant a power, when disturbances existed in any county or part of a county, to proclaim that district to be in a disturbed state, to appoint a superintending magistrate, with a salary, and special constables, with salaries. He proposed that the magistrate should have a house and office, but that he should not be invested with any extraordinary powers; that he should be responsible immediately to the government, and removeable at their discretion, and that he should be called upon for those exertions which could not be required from ordinary magistrates, who could not be expected to devote the whole of their time to the public service. The special constables, to whom he proposed to give a better salary than to ordinary constables, he should propose to select from among the farmers' sons, and persons of that class, and to make them keep a kind of watch and ward in the disturbed district; these constables to be placed under the controul of the superintending magistrates. The extraordinary expence that must be incurred by the establishment of this magistrate, and the special constables, ought in his opinion to be paid by the disturbed district. He thought himself bound in candour to state to the House, that in proposing the appointment of a supernumerary magistrate, he was rather calling upon the House to sanction a measure that had been adopted, than introducing a new system. In the counties of Kildare and Westmeath, and in every disturbed district, where the government had the means of doing it. Magistrates of this description had been appointed, not in conformity with any express provision of law, but from the necessity of the case, and the appointment had been attended with great benefits; their minds being wholly turned to one employment, they became of course more skilled in the mode of detecting and apprehending offenders. Another material advantage that would result from their appointment, was, that they would have no local allurements or interests to sway their judgment. He begged, however, that it might not be supposed that he meant to throw any imputation upon the regular magistracy of the country, the magistrates themselves he was sure would not think so, because nothing was more common than applications from them, that appointments of this kind should be made, and these applications were made, not by gentlemen who wished to avoid their duty, but those who were the most anxious to discharge it.

He was aware that many magistrates, in Ireland, were willing to devote their time to the public service; but when it was necessary that parties should be sent out every night, perhaps for a month together, it was not to be expected gentlemen could neglect their own concerns entirely, and give up all their time to the public. He trusted he was swayed by no consideration of personal friendship, when he mentioned one signal proof of those exertions in the case of a noble friend of his, lord Desart. The services that he had performed were not of a nature to attract much public attention, but on that very account they deserved more richly the public acknowledgements and gratitude; every sacrifice of what others would consider their ease and comfort, had been made by his noble friend, every risk of personal safety had been encountered, his days and nights had been devoted to the fulfilment of the most active duties; as a magistrate he was repaid by the consciousness of having performed these duties, and by the knowing, that his exertions had been attended with success; but it was with deep regret he stated, that his health had been injured by his zeal and incessant activity, and that he was now deprived of the assistance of his noble friend in the House, by the necessity which he was under, of absenting himself from his parliamentary duties, on account of indisposition. In this country the appointment of stipendiary magistrates was not necessary, and therefore would be improper; but in Ireland the state of the country was so different, that the measure appeared to him indispensable for the public safety: that uncommon exertions had been made by many magistrates in Ireland, he was perfectly ready to admit, acting gratuitously, and from the best and purest motives.

There would be in the Bill several regulations for the conduct of these magistrates, which it would be unnecessary now to detail: he should only repeat, that by bringing forward this Bill, he did not preclude himself from proposing other and stronger measures even in the present session, if the case should require it. Having thanked the House for its indulgence, the right hon. gentleman concluded with moving, "That leave be given to bring in a Bill to provide for the better execution of the laws in Ireland, by appointing superintending magistrates and additional constables in counties in certain cases."

Sir *J. Newport* said, that although it was too soon for him to pronounce upon the nature of the measure, he was ready to give his cheerful approval of its mildness, and to accord with its general principles. He agreed with that part which invested government with the selection of magistrates connected with the local interests of the countries; because all magistrates so connected must carry with them weight and respectability. He also approved of the clause which levied the expences on the disturbed districts. On the whole, he could see no objection to the measure, as no man was inclined to go farther than himself to punish offenders who outraged the laws.

Mr. *Bankes* was of opinion, that government deserved all possible credit for their forbearance; for in his mind, the cases that had been stated would warrant a law of a very different description. It would have been better to enact a law of a permanent than a temporary nature. When laws in cases of this kind were too mild, it was a false humanity that dictated them.

Mr. *Fitzgerald* explained, that the special constables were intended to be formed of respectable farmers' sons. The law would go forth to the country, not as a dubious measure proposed by administration, but as one sanctioned by the unanimous approbation of parliament; a circumstance which would contribute much to its efficiency. If government should in future be compelled to come to parliament for some stronger measure, they could come with a good grace, seeing that they had not asked for more than they believed in their conscience to be absolutely necessary. The Bill contained nothing that was irreconcileable to law, or the constitution; but, on the contrary, was consistent with its best principles.

Mr. *Abercromby* said, he must confess that he had heard, at first, with much anxiety, the proposition for such a Bill; but that anxiety had been entirely removed by the statement he had heard.

Sir *Frederick Flood* gave the fullest confidence to the right hon. gentleman's statement, as far as it went; but he was happy to find, that he had made no allusion to the part of the country which he had the honour to represent. It appeared that out of the 34 counties of Ireland, only four were disturbed. If all the counties were like that which sent him to parliament, the Bill would be unnecessary. He thought the unhappy jealousy which prevailed amongst the lower orders, might be ended by a law which would do away Orange-men and all other party distinctions. He highly approved of the provision for rewarding the civil officers; as few men could be found in any situation, high or low, who would exert themselves without being well paid.

Mr. *Grattan* said, that as the right hon. gentleman's statement appeared to be extremely candid, and as the measure itself seemed as mild as it was judicious, he should certainly make no opposition to it in its present stage.

Mr. *Latouche* supported the Bill.

Mr. *Peel* entered into explanations of some length, in answer to the objections of different gentlemen. He defended the county magistrates against the suspicion of supineness. The proposed law might be assumed to be strong enough. All that was wanted were responsible persons to carry it into execution. In answer to a remark of sir F. Flood, the right hon. gentleman observed, that instead of there being only four counties in a state of disturbance, it was probable that twenty might be deemed in a state the reverse of tranquillity. Even Wexford, which sent the hon. baronet to parliament, was lately represented by the grand jury, to be rather in an alarming state.

Leave was given to bring in the Bill.

COPY OF THE TREATY OF PEACE, AND AMITY WITH FRANCE.] The following is a Copy of the Definitive Treaty of Peace, and Amity with France, as presented to the House by lord Castlereagh:

DEFINITIVE TREATY OF PEACE, AND AMITY BETWEEN HIS BRITANNIC MAJESTY AND HIS MOST CHRISTIAN MAJESTY.—*Signed at Paris, the 30th day of May*, 1814.

## TRAITE'.

Au nom de la très Sainte et Indivisible Trinité.

Sa Majesté, le Roi du Royaume Uni de la Grande Bretagne et de l'Irlande, et ses Alliés d'une part, et sa Majesté le Roi de France et de Navarre d'autre part, étant animés d'un égal désir de mettre fin aux longues agitations de l'Europe et aux malheurs des peuples, par une paix solide, fondée sur une juste répartition de forces entre les puissances, et portant dans les stipulations la garantie de sa durée, et sa Majesté le Roi du Royaume Uni de la Grande Brétagne et de l'Irlande et ses Alliés, ne voulant plus exiger de la France,

## TREATY.

In the name of the most Holy and undivided Trinity.

His Majesty, the King of the United Kingdom of Great Britain and Ireland, and his Allies on the one part, and his Majesty the King of France and of Navarre on the other part, animated by an equal desire to terminate the long agitations of Europe, and the sufferings of mankind, by a permanent peace, founded upon a just repartition of force between its states, and containing in its stipulations the pledge of its durability; and his Britannic Majesty, together with his Allies, being unwilling to require of France, now

aujourd'hui que, s'étant réplacée sous le gouvernement paternel de ses rois, elle offre ainsi à l'Europe un gage de sécurité, et de stabilité, les conditions et les garanties qu'ils lui avaient à regret démandées sous son dernier gouvernement, leurs dites Majestés ont nommé des plénipotentiaires pour discuter, arrêter, et signer un Traité de Paix et d'amitié; savoir,

Sa Majesté le Roi du Royaume Uni de la Grande Brétagne et de l'Irlande, le très honorable Robert Stewart, Vicomte Castlereagh, conseiller de sa dite Majesté en son conseil privé, membre de son parlement, colonel du regiment de milice de Londonderry, et son principal sécrétaire d'état, ayant le département des affaires etrangères, &c. &c. &c.; le sieur George Gordon, Comte d'Aberdeen, Vicomte de Formartine, Lord Haddo, Methlic, Tarvis et Kellie, &c. l'un des seize pairs representant la pairie de l'Ecosse dans la Chambre Haute, chevalier de son très ancien et très noble ordre du Chardon, son ambassadeur extraordinaire et plénipotentiaire près sa Majesté Imperiale et Royale Apostolique; le sieur Guillaume Shaw Cathcart, Vicomte Cathcart et Greenock, conseiller de sa dite Majesté en son conseil privé, chevalier de son ordre du Chardon, et des ordres de Russie, général dans ses armées, et son ambassadeur extraordinaire et plénipotentiaire près sa Majesté l'Empéreur de toutes les Russies; et l'honorable Charles Guillaume Stewart, chevalier de son très honorable ordre du Bain, membre de son parlement, lieutenant-général dans ses armées, chevalier des ordres de l'Aigle Noir et de l'Aigle Rouge de Prusse, et de plusieurs autres, et son envoyé extraordinaire et ministre plénipotentiaire près sa Majesté le Roi de Prusse; et sa Majesté le Roi de France et de Navarre, Monsieur Charles Maurice de Talleyrand Perigord, Prince de Bénévent, grand aigle de la Legion d'Honneur, chevalier de l'Aigle Noire et de l'Aigle Rouge de Prusse, grande croix de l'ordre de Leopold d'Autriche, chevalier de l'ordre de St. André de Russie, et son ministre et sécrétaire d'état des affaires etrangères; lesquels après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivans:—

Article I.—Il y aura, à compter de ce jour, paix et amitié entre sa Majesté le Roi du Royaume Uni de la Grande Brétagne et de l'Irlande, et ses Alliés d'une part, et

that, replaced under the paternal government of her kings, she offers the assurance of security and stability to Europe, the conditions and guarantees which they had with regret demanded from her former government, their said Majesties have named plenipotentiaries to discuss, settle, and sign a Treaty of Peace and amity; namely,

His Majesty, the King of the United Kingdom of Great Britain and Ireland, the right honourable Robert Stewart, Viscount Castlereagh, one of his said Majesty's most honourable privy council, member of parliament, colonel of the Londonderry regiment of militia, and his principal secretary of state for foreign affairs, &c. &c. &c.; the Right Honourable George Gordon, earl of Aberdeen, Viscount Formartine, Lord Haddo, Methlic, Tarvis, and Kellie, &c. one of the sixteen peers representing the peerage of Scotland in the House of Lords, knight of his Majesty's most ancient and most noble Order of the Thistle, his embassador extraordinary and plenipotentiary to his Imperial and Royal Apostolic Majesty; the Right Hon. William Shaw Cathcart, Viscount Cathcart, Baron Cathcart and Greenock, one of his Majesty's most honourable privy council, knight of his Order of the Thistle, and of the Orders of Russia, general in his Majesty's army, and his embassador extraordinary and plenipotentiary to his Majesty the Emperor of all the Russias; and the honourable sir Charles William Stewart, knight of his Majesty's most honourable order of the Bath, member of parliament, lieutenant-general in his Majesty's army, knight of the Prussian orders of the Black and Red Eagle, and of several others, and his envoy extraordinary and minister plenipotentiary to his Majesty the King of Prussia, and his Majesty the King of France and Navarre, Charles Maurice de Talleyrand Perigord, Prince of Benevent, great eagle of the Legion of Honour, knight of the Black and Red Eagle of Prussia, grand cross of the order of Leopold of Austria, knight of the Russian Order of St. Andrew, and his said Majesty's minister and secretary of state for foreign affairs; who, having exchanged their full powers, found in good and due form, have agreed upon the following Articles:—

Art. I. There shall be from this day forward perpetual peace and friendship between his Britannic Majesty and his Allies on the one part, and his Majesty

S. M. le Roi de France et de Navarre, d'autre part, leurs héritiers et successeurs, leurs états et sujets respectifs, à perpetuité.

Les hautes parties contractantes apporteront tous leurs soins à maintenir, non seulement entr'elles, mais encore, autant qu'il depend d'elles, entre tous les états de l'Europe, la bonne harmonie et intelligence si nécessaires à son repos.

ART. II.—Le royaume de France conserve l'intégrité de ses limites, telles qu' elles existaient à l'epoque du 1er Janvier 1792. Il recevra en outre une augmentation de territoire comprise dans la ligne de démarcation fixée par l'Article suivant.

ART. III.—Du côté de la Belgique, de l'Allegmane et de l'Italie, l'ancienne frontière, ainsi qu' elle existait le 1er Janvier de l'année 1792, sera retablie en commençant de la mer du nord entre Dunkerque et Nieuport, jusqu'à la Mediterranée entre Cagnes et Nice avec les rectifications suivantes :

1. Dans le département de Jemappes, les cantons de Dour, Merbes-le-Chateau, Beaumont, et Chimay, resteront à la France ; la ligne de démarcation passera là où elle touche le canton de Dour, entre ce canton et ceux de Boussa et Paturage, ainsi que plus loin entre celui de Merbes-le-Chateau, et ceux de Binch et de Thuin.

2. Dans le département de Sambre et Meuse, les cantons de Walcourt, Florennes, Beauraing, et Gedinne, appartiendront à la France ; la demarcation, quand elle atteint ce département, suivra la ligne, qui separe les cantons precités du departement de Jemappes, et du reste de celui de Sambre et Meuse.

3. Dans le département de la Moselle, la nouvelle demarcation, là où elle s'ecarte de l'ancienne, sera formée par une ligne à tirer depuis Perle jusqu'à Fremersdorff, et par celle qui separe le canton de Tholey du reste du département de la Moselle.

4. Dans le département de la Sarre, les cantons de Saarbruck et d'Arneval resteront à la France, ainsi que la partie de celui de Lebach, qui est située au midi d'une ligne à tirer le long des confins des villages de Herchenbach, Ueberhofen, Hilsbach, et Hall, (en laissant ces differens endroits hors de la frontière Française)

the King of France and Navarre on the other, their heirs and successors, their dominions and subjects, respectively.

The high contracting parties shall devote their best attention to maintain, not only between themselves, but, inasmuch as depends upon them, between all the states of Europe, that harmony and good understanding which are so necessary for their tranquillity.

ART. II. The kingdom of France retains its limits entire, as they existed on the 1st of January, 1792. It shall further receive the increase of territory comprised within the line established by the following Article :—

ART. III. On the side of Belgium, Germany and Italy, the ancient frontiers shall be re-established as they existed the 1st of January, 1792, extending from the North Sea, between Dunkirk and Nieuport, to the Mediterranean between Cagnes and Nice with the following modifications :

1st. In the department of Jemappes, the cantons of Dour, Merbes-le-Chateau, Beaumont, and Chimay, shall belong to France ; where the line of demarkation comes in contact with the canton of Dour, it shall pass between that canton and those of Boussin and Paturage, and likewise further on it shall pass between the cantons of Merbes-le-Chateau, and those of Binck and Thuin.

2. In the department of Sambre and Meuse, the cantons of Walcourt, Florennes, Beauraing, and Gedinne, shall belong to France ; where the demarkation reaches that department, it shall follow the line which separates the said cantons from the department of Jemappes, and from the remaining cantons of the department of Sambre and Meuse.

3. In the department of the Moselle, the new demarkation, at the point where it diverges from the old line of frontier, shall be formed by a line to be drawn from Perle to Fremersdorff, and by the limit which separates the canton of Tholey from the remaining cantons of the said department of the Moselle.

4. In the department of La Sarre, the contons of Saarbruck and Arneval shall continue to belong to France, as likewise the portion of the canton of Lebach, which is situated to the south of a line drawn along the confines of the villages of Herchenbach, Ueberhofen, Hilsbach and Hall (leaving these different places out of the

jusqu'au point où, près de Querselle (qui appartient à la France), la ligne qui separe les cantons d'Arneval et d'Ottweiler, atteint celle qui separe ceux d'Arneval et de Lebach; la frontière de ce côté sera formée par la ligne ci-dessus designée, et ensuite par celle qui sépare le canton d'Arneval de celui de Bliescastel.

5. La Forteresse de Landau ayant formé, avant l'année 1792, un point isolé dans l'Allemagne, la France conserve, au delà de ses frontières, une partie des départemens du Mont Tonnerre et du Bas-Rhin, pour joindre la forteresse de Landau et son rayon au reste du Royaume. La nouvelle démarcation, en partant du point où près de Obersteinbach (qui reste hors des limites de la France) la frontière entre le département de la Moselle et celui du Mont-Tonnere atteint le département du Bas-Rhin, suivra la ligne qui sépare les cantons de Weissenbourg et de Bergzabern (du côté de la France), des cantons de Pirmasens, Dahn, et Annweiler (du côté de l'Allemagne) jusqu' au point où ces limites, près du village de Vollmersheim, touchent l'ancien rayon de la fortresse de Landau. De ce rayon, qui reste ainsi qu'il était en 1792, la nouvelle frontière suivra le bras de la rivière de la Queick qui en quittant ce rayon près de Queickheim (qui reste à la France) passe près des villages de Merlenheim, Knittelsheim, et Belheim, (demeurant également Français) jusqu'au Rhin qui continuera ensuite à former la limite de la France et de l'Allemagne.

Quant au Rhin, le Thalweg constituera la limite, de manière cependent que les changemens que subira par la suite le cours de ce fleuve, n'auront à l'avenir aucun effet sur la propriété des îles qui s'y trouvent; l'état de possession de ces îles sera rétabli tel qu'il existait à l'époque de la signature du traité de Luneville.

6. Dans le département du Doubs la frontière sera réctifiée, de manière à ce qu'elle commence au-dessus de la Rançonnière, près de Locle, et suive la créte du Jura entre le Cerneux, Pequignot et le village de Fontenelles jusqu'à une cime du Jura située à environ 7 ou 8,000 pieds au nord-ouest du village de la Brevine, où elle retombera dans l'ancienne limite de la France.

French frontier) to the point where, in the neighbourhood of Querselle (which place belongs to France) the line which separates the cantons of Arneval and Ottweiler reaches that which separates the cantons of Arneval and Lebach. The frontier on this side shall be formed by the line above described, and afterwards by that which separates the canton of Arneval from that of Bliescastel.

5. The fortress of Landau having, before the year 1792, formed an insulated point in Germany, France retains beyond her frontiers a portion of the departments of Mount Tonnere and of the Lower Rhine, for the purpose of uniting the said fortress and its radius to the rest of the kingdom.

The new demarkation from the point in the neighbourhood of Obersteinbach (which place is left out of the limits of France) where the boundary between the department of the Moselle, and that of Mount Tonnere, reaches the department of the Lower Rhine, shall follow the line which separates the cantons of Weissenbourg and Bergzabern (on the side of France, from the cantons of Permasens Dahn, and Annweiler (on the side of Germany) as far as the point near the village of Vollmersheim where that line touches the ancient radius of the fortress of Landau. From this radius, which remains as it was in 1792, the new frontier shall follow the arm of the river de la Queich, which on leaving the said radius at Queichheim (that place remaining to France) flows near the villages of Merlenheim, Knittelsheim and Belheim (these places also belong to France) to the Rhine, which from thence shall continue to form the boundary of France and Germany.

The main stream (Thalweg) of the Rhine shall constitute the frontier; provided, however, that the changes which may hereafter take place in the course of that river, shall not affect the property of the islands. The right of possession in these islands shall be re-established, as it existed at the signature of the treaty of Luneville.

6. In the department of the Doubs the frontier shall be so regulated as to commence above the Rançonnière near Local, and follow the Crest of Jura between the Cerneux, Pequignot, and the village of Fontenelles, as far as the peak of that mountain, situated about seven or eight thousand feet to the north-west of the village of La Brevine, where it shall again fall in with the ancient boundary of France.

7. Dans le département du Léman les frontiéres entre le territoire Français, le Pays-de-Vaud, et les differentes portions du territoire de la république de Genève, (qui fera partie de la Suisse,) restent les mêmes qu'elles étaient avant l'incorporation de Genéve à la France. Mais le canton de Frangy, celui de St. Julien, (à l'exception de la partie située au nord d'une ligne à tirer du point où la rivière de la Loire entre près de Chancy dans le territoire Genevois, le long des confins de Séséquin, Laconex et Seseneuve, qui resteront hors des limites de la France) le canton de Reignier, (à l'exception de la portion qui se trouve à l'est d'une ligne qui suit les confins de la Muraz, Bussy, Pers, et Cornier, qui seront hors des limites Françaises) et le canton de la Roche, (à l'exception des endroits nommés de la Roche et Armanoy avec leurs districts,) resteront à la France. La frontière suivra les limites de ces différens cantons, et les lignes qui séparent les portions qui demeurent à la France, de celles qu'elle ne conserve pas.

8. Dans le departement du mont Blanc la France acquiert la sous-prefecture de Chambéry, à l'exception des cantons de l'Hôpital, de St. Pierre d'Albigny, de la Rocette, et de Montmelian, et la sous-prefecture d'Annecy, à l'exception de la partie du Canton de Faverges, située à l'est d'une ligne qui passe entre Ourechaise et Marlens du côté de la France, et Marthod et Ugine du côté opposé et qui suit aprés la crète des montagnes jusqu'à la frontière du canton de Thones: C'est cette ligne, qui avec la limite des cantons mentionnés, formera de ce côté la nouvelle frontière.

Du coté des Pyrénées les frontières restent telles qu'elles étaient entre les deux Royaumes de France et d'Espagne à l'époque du 1er Janvier, 1792, et il sera de suite nommé une commission mixte de la part des deux couronnes pour en fixer la démarcation finale.

La France renonce à tous droits de souveraineté, de Suzeraineté, et de possession sur tous les pays et districts, villes et endroits quelconques situés hors de la frontière ci-dessus désignée, la principauté de Monaco etant toutefois replacée dans les rapports où elle se trouvait avant le 1er Janvier 1792.

Les cours alliées assurent à la France la possession de la principauté d'Avignon,

7. In the department of the Leman, the frontiers between the French territory, the Pays de Vaud, and the different portions of the territory of the republic of Geneva (which is to form part of Swisserland) remain as they were before the incorporation of Geneva with France. But the cantons of Frangy and of St. Julien (with the exception of the districts situated to the north of a line drawn from the point where the river of La Laire enters the territory of Geneva near Chancy, following the confines of Sesequin, Laconex, and Seseneuve, which shall remain out of the limits of France) the canton of Reignier, with the exception of the portion to the east of a line which follows the confines of the Muraz Bussy, Pers, and Cornier, which shall be out of the French limits) and the canton of La Roche (with the exception of the places called La Roche, and Armanoy, with their districts) shall remain to France. The frontier shall follow the limits of these different cantons, and the line which separates the districts continuing to belong to France, from those which she does not retain.

8. In the department of Montblanc, France acquires the sub-prefecture of Chambery, with the exception of the cantons of L'Hôpital, St. Pierre d'Albigny, la Rocette, and Montmelian, and the sub-prefecture of Annecy, with the exception of the portion of the canton of Faverges, situated to the east of a line passing between Ourechaise and Marlens on the side of France, and Marthod and Ugine on the opposite side, and which afterwards follows the crest of the mountains as far as the frontier of the canton of Thones; this line, together with the limit of the cantons before mentioned, shall on this side form the new frontier.

On the side of the Pyrenees, the frontiers between the two kingdoms of France and Spain, remain such as they were the 1st of January, 1792, and a joint commission shall be named on the part of the two crowns for the purpose of finally determining the line.

France on her part renounces all rights of sovereignty, Suzeraineté, and of possession over all the countries, districts, towns, and places situated beyond the frontier above described, the principality of Monaco being replaced on the same footing on which it stood before the 1st of January, 1792.

The allied powers assure to France the possession of the principality of Avignon, du comtat Venaissin, du comté des Montbéliard, et de toutes les enclaves qui ont appartenu autrefois á l'Allemagne, comprises dans la frontiere ci-dessus indiquée, qu'elles aient été incorporées à la France avant ou après le 1er Janvier, 1792.

Les Puissances se réservent réciproquement la faculté entière de fortifier telle point de leurs états, qu'elles jugeront convenables pour leur sureté.

Pour éviter toute lésion de propriétés particulières et mettre à couvert, d'après les principes les plus libéraux, les biens d'individus domiciliés sur les frontières, il sera nommé par chacun des états limitrophes de la France, des commissaires pour proceder conjointement avec des commissaires Français à la delimitation des pays respectifs.

Aussi-tôt que le travail des commissaires sera terminé, il sera dressé des cartes signées par les commissaires respectifs, et placé des poteaux, qui constateront les limites reciproques.

Art. IV. Pour assurer les communications de la ville de Géneve avec d'autres parties du territoire de la Suisse situées sur le Lac, la France consent à ce que l'usage de la route par Versoy soit commun aux deux pays. Les gouvernemens respectifs s'entendront à l'amiable sur les moyens de prévenir la contrabande, et de régler le cours des postes et l'entretien de la route.

Art. V. La navigation sur le Rhin, du point où il devient navigable jusqu'à la mer, et reciproquement, sera libre, de telle sorte qu'elle ne puisse être interdite à personne; et l'on s'occupera, au futur Congrès, des principes d'aprés lesquels on pourra régler les droits à lever par les états riverains, de la manière la plus égale et la plus favorable au commerce de toutes les nations.

Il sera examiné et décidé de même dans le futur Congrès, de quelle manière, pour faciliter les communications entre les peuples et les rendre toujours moins étrangers les uns aux autres, la disposition ci-dessus pourra être également étendu à tous les autres fleuves qui, dans leur cours navigable, séparent ou traversent differens états.

Art. VI. La Hollande placée sous la souveraineté de la Maison d'Orange, récevra un accroissement de territoire. Le titre et l'exercice de la souveraineté, n'y pourront dans aucun cas appartenir à au-

of the comtat Venaissin, of the comté of Montbeilliard, together with the several insulated territories which formerly belonged to Germany, comprehended within the frontier above described, whether they have been incorporated with France before or after the 1st of January, 1792.

The powers reserve to themselves reciprocally, the complete right to fortify any point in their respective states which they may judge necessary for their security.

To prevent all injury to private property, and protect, according to the most liberal principles, the property of individuals domiciliated on the frontiers, there shall be named, by each of the states bordering on France, commissioners, who shall proceed, conjointly with French commissioners, to the delineation of the respective boundaries.

As soon as the commissioners shall have performed their task, maps shall be drawn, signed by the respective commissioners, and posts shall be placed to point out the reciprocal boundaries.

Art. IV. To secure the communications of the town of Geneva with other parts of the Swiss territory situated on the lake, France consents that the road by Versoy shall be common to the two countries. The respective governments shall amicably arrange the means for preventing smuggling, regulating the posts, and maintaining the said road.

Art. V. The navigation of the Rhine, from the point where it becomes navigable unto the sea, and *vice versâ,* shall be free, so that it can be interdicted to no one:—and at the future Congress, attention shall be paid to the establishment of the principles, according to which the duties to be raised by the states bordering on the Rhine may be regulated, in the mode the most impartial, and the most favourable to the commerce of all nations.

The future Congress, with a view to facilitate the communication between nations, and continually to render them less strangers to each other, shall likewise examine and determine in what manner the above provision can be extended to other rivers, which in their navigable course separate or traverse different states.

Art. VI. Holland, placed under the sovereignty of the House of Orange, shall receive an increase of territory. The title and exercise of that sovereignty shall not in any case belong to a prince wearcun prince portant ou appelé à porter une couronne étrangère.

Les états de l'Allemagne seront indépendans et unis par un lien fédératif.

La Suisse indépendante continuera de se gouverner par elle-même.

L'Italie hors des limites des pays qui reviendront à l'Autriche sera composée d'états souverains.

Art. VII. L'Ile de Malte et ses dépendances appartiendront en toute propriété et souveraineté à sa Majesté Britannique.

Art. VIII. Sa Majesté Britannique, stipulant pour elle et ses Alliés, s'engage à restituer à sa Majesté très Chrétienne dans les délais qui seront ci-après fixées, les colonies, pêcheries, comptoirs et éstablissemens de tout genre que la France possédait au 1er Janvier 1792, dans les mers et sur les continens de l'Amerique, de l'Afrique, et de l'Asie, à l'exception toutefois des îles de Tabago et de St. Lucie, et de l'Ile de France, et de ses dependances, nommément Rodrigue et les Séchelles lesquelles sa Majesté très Chrétienne cède en toute propriété et souveraineté à sa Majesté Britannique, comme aussi de la partie de St. Domingue cédée à la France par la paix de Bâsle, et que sa Majesté très Chrétienne rétrocède à sa Majesté Catholique en toute propriété et souveraineté.

Art. IX. Sa Majesté le Roi de Suède et de Norwège, en conséquence d'arrangements pris avec ses Alliés, et pour l'execution de l'Article précédent, consent à ce que l'ile de la Guadaloupe soit restituée à sa Majesté très Chrétienne, et cède tous les droits qu'il peut avoir sur cette île.

Art. X. Sa Majesté très-fidèle, en conséquence d'arrangements pris avec ses Alliés et pour l'execution de l'Article 8, s'engage à restituer à sa Majesté tres Chretienne, dans le délai ci-après fixé, la Guiane Française, telle qu'elle existait au 1er Janvier 1792.

L'effet de la stipulation ci-dessus étant de faire revivre la contestation existante à cette époque au sujet des limites, il est convenu que cette contestation sera terminée par un arrangement amiable entre les deux cours, sous la médiation de sa Majesté Britannique.

Art. XI. Les places et forts existant dans les colonies et établissemens qui doivent être rendus à sa Majesté très Chrétienne en vertu des Articles 8, 9, et

ing or destined to wear a foreign crown.

The states of Germany shall be independent and united by a federative bond.

Switzerland, independent, shall continue to govern herself.

Italy, beyond the limits of the countries which are to revert to Austria, shall be composed of sovereign states.

Art. VII. The island of Malta and its dependencies shall belong in full right and sovereignty to his Britannic Majesty.

Art. VIII. His Britannic Majesty, stipulating for himself and his Allies, engages to restore to his most Christian Majesty, within the term which shall be hereafter fixed, the colonies, fisheries, factories and establishments of every kind, which were possessed by France on the 1st of January, 1792, in the seas and on the continents of America, Africa, and Asia, with the exception however of the islands of Tobago and St. Lucie, and of the Isle of France and its dependencies, especially Rodrigues and Les Séchelles, which several colonies and possessions his most Christian Majesty cedes in full right and sovereignty to his Britannic Majesty, and also the portion of St. Domingo, ceded to France by the Treaty of Basle, and which his most Christian Majesty restores in full right and sovereignty to his Catholic Majesty.

Art. IX. His Majesty, the king of Sweden and Norway, in virtue of the arrangements stipulated with the Allies, and in execution of the preceding Article, consents that the island of Guadaloupe be restored to his most Christian Majesty, and gives up all the rights he may have acquired over that island.

Art. X. Her most faithful Majesty, in virtue of the arrangements stipulated with her Allies, and in execution of the 8th Article, engages to restore French Guyana as it existed on the 1st of January 1792, to his most Christian Majesty, within the term hereafter fixed.

The renewal of the dispute which existed at that period on the subject of the frontier, being the effect of this stipulation, it is agreed that that dispute shall be terminated by a friendly arrangement between the two courts, under the mediation of his Britannic Majesty.

Art. XI. The places and forts in those colonies and settlements, which, by virtue of the 8th, 9th, and 10th Articles, are to be restored to his most Christian Majesty, 10, séront remis dans l'état où ils se trouveront au moment de la signature du présent Traité.

Art. XII. Sa Majesté Britannique s'engage à faire jouir les sujets de sa Majesté très Chrétienne, relativement au commerce et à la sûreté de leurs personnes et propriétés, dans les limites de la souveraineté Britannique sur le continent des Indes, des mêmes facilités, privileges et protection qui sont à présent ou seront accordés aux nations les plus favorisées.

De son côté sa Majesté très Chrétienne n'ayant rien plus à cœur que la perpétuité de la paix entre les deux couronnes de France et d'Angleterre et voulant contribuer, autant qu'il est en elle, à écarter des-à-présent, des rapports des deux peuples, ce qui pourrait un jour altérer la bonne intelligence mutuelle, s'engage à ne faire aucun ouvrage de fortification dans les établissemens qui lui doivent être restitués, et qui sont situés dans les limites de la souveraineté Britannique sur le continent des Indes, et à ne mettre dans ces établissemens que le nombre de troupes nécessaire pour le maintien de la police.

Art. XIII. Quant au droit de pêche des Français sur le Grand Banc de Terreneuve, sur les côtés de l'île de ce nom, et des îles adjacentes, dans le golfe de St. Laurent, tout sera remis sur le même pied qu'en 1792.

Art. XIV. Les colonies, comptoirs et établissemens qui doivent être restitués à sa Majesté très Chrètienne par sa Majesté Britannique ou ses Alliés, seront remis, savoir, ceux qui sont dans les mers du nord ou dans les mers et sur les continents de l'Amerique, et de l'Afrique, dans les trois mois, et ceux qui sont au delà du Cap de Bonne Esperance, dans les six mois qui suivront la ratification du présent Traité.

Art. XV. Les hautes parties contractantes s'etant resérvé par l'Article 4 de la convention du 23 Avril dernier, de regler, dans le présent Traité de Paix Définitif, le sort des arsenaux et des vaisseaux de guerre armés et non armés, qui se trouvent dans les places maritimes remises par la France, en exécution de l'Article 2 de la dite convention, il est convenu que les dits vaisseaux et batimens de guerre armés et non armés, comme aussi l'artillerie navale et les munitions navales et tous les matériaux de construction et d'armémens, seront partagés entre la France et le pays où les places sont situées, dans la proportion de deux tiers pour la France, et d'un tiers pour les puissances auxquelles les dites places ap-

shall be given up in the state in which they may be at the moment of the signature of the present Treaty.

Art. XII. His Britannic Majesty guarantees to the subjects of his most Christian Majesty the same facilities, privileges, and protection, with respect to commerce, and the security of their persons and property, within the limits of the British sovereignty on the continent of India, as are now or shall be granted to the most favoured nations.

His most Christain Majesty, on his part, having nothing more at heart than the perpetual duration of peace between the two crowns of England and of France, and wishing to do his utmost to avoid any thing which might affect their mutual good understanding, engages not to erect any fortifications in the establishments which are to be restored to him within the limits of the British sovereignty upon the continent of India, and only to place in those establishments the number of troops necessary for the maintenance of the police.

Art. XIII. The French right of fishery upon the Great Bank of Newfoundland, upon the coasts of the island of that name, and of the adjacent islands in the gulf of St. Lawrence, shall be replaced upon the footing in which it stood in 1792.

Art. XIV. Those colonies, factories, and establishments, which are to be restored to his most Christian Majesty by his Britannic Majesty or his Allies in the Northern seas, or in the seas on the continents of America and Africa, shall be given up within the three months; and those which are beyond the Cape of Good Hope, within the six months which follow the ratification of the present Treaty.

Art. XV. The high contracting parties having, by the 4th Article of the Convention of the 23d of April last, reserved to themselves the right of disposing, in the present Definitive Treaty of Peace, of the arsenals and ships of war, armed and unarmed, which may be found in the maritime places restored by the 2nd Article of the said Convention; it is agreed, that the said vessels and ships of war, armed and unarmed, together with the naval ordnance and naval stores, and all materials for building and equipment, shall be divided between France and the countries where the said places are situated, in the proportion of two-thirds for France, and one-third for the power to whom the said

partiendront. Seront considérés comme materiaux et partagés comme tels, dans la proportion ci-dessus énoncée, aprés avoir été demolis, les vaisseaux et batimens en construction, qui ne seraient pas en état d'être mis en mer six semaines après la signature du présent Traité.

Des commissaires seront nommés de part et d'autre pour arrêter le partage, et en dresser l'état, et des passeports ou sauf-conduits seront donnés par les puissances alliées pour assurer le retour en France des ouvriers, gens de mer, et employés Français.

Ne sont compris dans les stipulations ci-dessus les vaisseaux et arsenaux existans dans les places maritimes qui seraient tombées au pouvoir des Alliés antérieurement au 23 Avril, ni les vaisseaux, et arsenaux qui appartenaient à la Hollande, et nommément la flotte du Texel.

Le gouvernement de France, s'oblige à retirer ou à faire vendre tout ce qui lui appartiendra par les stipulations ci-dessus énoncées, dans le delai de trois mois après le partage effectué.

Dorénavant le port d'Anvers sera uniquement un port de commerce.

Art. XVI. Les hautes parties contractantes voulant mettre et faire mettre dans un entier oubli les divisions qui ont agité l'Europe, déclarent et promettent que, dans les pays restitués, et cédés par le present Traité aucun individu de quelque classe et condition qu'il soit ne pourra être poursuivi, inquiété ou troublé, sous aucun prétexte ou à cause de sa conduite ou opinion politique, ou de son attachement soit à aucune des parties contractantes, soit à des gouvernemens qui ont cessé d'exister ou pour toute autre raison, si ce n'est pour les dettes contractées envers des individus, ou pour des actes postérieurs au present Traité.

Art. XVII. Dans tous les pays qui doivent ou devront changer de maîtres, tant en vertu du present Traité que des arrangemens qui doivent être faits en conséquence, il sera accordé aux habitans naturels et étrangers, de quelque condition et nation qu'ils soient, un espace de six ans, à compter de l'echange des ratifications, pour disposer, s'ils le jugent convenable, de leurs propriétés acquises, soit avant, soit depuis la guerre actuelle, et se retirer dans tel pays qu'il leur plaira de choisir.

Art. XVIII. Les puissances alliées

places shall belong. The ships and vessels on the stocks, which shall not be launched within six weeks after the signature of the present Treaty, shall be considered as materials, and after being broken up shall be, as such, divided in the same proportions.

Commissioners shall be named on both sides to settle the division and draw up a statement of the same, and passports or safe-conducts shall be granted by the allied powers for the purpose of securing the return into France of the workmen, seamen, and others, in the employment of France.

The vessels and arsenals existing in the maritime places, which were already in the power of the Allies before the 23d of April, and the vessels and arsenals which belonged to Holland, and especially the fleet in the Texel, are not comprised in the above stipulations.

The French government engages to withdraw, or to cause to be sold, every thing which shall belong to it by the above stipulations, within the space of three months after the division shall have been carried into effect.

Antwerp shall for the future be solely a commercial port.

Art. XVI. The high contracting parties, desirous to bury in entire oblivion the dissensions which have agitated Europe, declare and promise that no individual, of whatever rank or condition he may be, in the countries restored and ceded by the present Treaty, shall be prosecuted, disturbed or molested, in his person or property, under any pretext whatsoever, either on account of his conduct or political opinions, his attachment either to any of the contracting parties, or to any government which has ceased to exist, or for any other reason, except for debts contracted towards individuals, or acts posterior to the date of the present Treaty.

Art. XVII. The native inhabitants and aliens, of whatever nation or condition they may be, in those countries which are to change sovereigns, as well in virtue of the present Treaty as of the subsequent arrangements to which it may give rise, shall be allowed a period of six years, reckoning from the exchange of the ratifications, for the purpose of disposing of their property, if they think fit, whether it be acquired before or during the present war; and retiring to whatever country they may choose.

Art. XVIII. The allied powers, de-voulant donner sa Majesté très Chretienne un nouveau témoignage de leur désir de faire disparaître autant qu'il est en elles, les conséquences de l'époque de malheur, si heureusement terminée par la presente Paix rénoncent à la totalité des sommes que les gouvernemens ont à reclamer de la France, à raison de contrâts, de fournitures, ou d'avances quelconques faites au gouvernement Français dans les différentes guerres qui ont eu lieu depuis 1792.

De son côté, sa Majesté trés Chrétienne renonce à toute réclamation qu'elle pourrait former contre les puissances alliées aux mêmes titres. En exécution de cet article, les hautes parties contractantes s'engagent à se remettre mutuellement tous les titres, obligations et documens qui ont rapport aux créances auxquelles elles ont reciproquement renoncé.

Art. XIX. Le gouvernement Français s'engage à faire liquider et payer les sommes qu'il se trouverait devoir d'ailleurs dans des pays hors de son territoire, en vertu de contrâts ou d'autres engagemens formels, passés entre des individus ou des établissemens particuliers et les autorités Françaises, tant pour fournitures qu'à raison d'obligations légales.

Art. XX. Les hautes parties contractantes nommeront, immédiatement après l'échange des ratifications du présent Traité, des commissaires pour règler et tenir la main à l'execution de l'ensemble des dispositions renfermées dans les Articles 18 et 19. Ces commissaires s'occuperont de l'examen des réclamations dont il est parlé dans l'Article précédent, de la liquidation des sommes réclamées, et du mode dont le gouvernement Français proposera de s'en acquitter. Ils seront chargés de même de la remise des titres, obligations, et documens rélatifs aux créances auxquelles les hautes parties contractantes renoncent mutuellement, de manière que la ratification du résultat de leur travail complètera cette renonciation réciproque.

Art. XXI. Les dettes spécialement, hypothéquées dans leur origine sur les pays qui cessent d'appartenir à la France, ou contractées pour leur administration intérieure resteront à la charge de ces mêmes pays. Il sera tenu compte en conséquence au gouvernement Français, à partir du 22 Décembre 1813, de celles de ces dettes qui ont été converties en inscriptions au grand livre de la dette publique de France.

Les titres de toutes celles qui ont été

siring to offer his most Christian Majesty a new proof of their anxiety to arrest, as far as in them lies, the bad consequences of the disastrous epoch fortunately terminated by the present Peace, renounce all the sums which their governments claim from France, whether on account of contracts, supplies, or any other advances whatsoever, to the French government, during the different wars which have taken place since 1792.

His most Christian Majesty, on his part, renounces every claim, which he might bring forward against the allied powers, on the same grounds. In execution of this article, the high contracting parties engage reciprocally to deliver up all titles, obligations, and documents, which relate to the debts they may have mutually cancelled.

Art. XIX. The French government engages to liquidate and pay all debts it may be found to owe in countries beyond its own territory, on account of contracts, or other formal engagements between individuals, of private establishments, and the French authorities, as well for supplies, as in satisfaction of legal engagements.

Art. XX. The high contracting parties, immediately after the exchange of the ratifications of the present Treaty, shall name commissioners to direct and superintend the execution of the whole of the stipulations contained in the 18th and 19th Articles. These commissioners shall undertake the examination of the claims referred to in the preceding Articles, the liquidation of the sums claimed, and the consideration of the manner in which the French government may propose to pay them. They shall also be charged with the delivery of the titles, bonds, and the documents relating to the debts which the high contracting parties mutually cancel, so that the approval of the result of their labours, shall complete that reciprocal renunciation.

Art. XXI. The debts which in their origin were specially mortgaged upon the countries no longer belonging to France, or were contracted for the support of their internal administration, shall remain at the charge of the said countries. Such of those debts as have been converted into inscriptions in the great book of the public debt of France, shall accordingly be accounted for with the French government after the 22d of December, 1813.

The deeds of all those debts which have

préparées pour l'inscription, et n'ont pas encore été inscrites, seront remis aux gouvernemens des pays respectifs. Les états de toutes ces dettes seront dressés et arrêtés par une commission mixte.

Art. XXII. Le gouvernement Français restera chargé de son côté du remboursement de toutes les sommes versées, par les sujets des pays ci-dessus mentionnés, dans les caisses Françaises, soit à titre de cautionnement, de dépôts ou de consignation. De même les sujets Français, serviteurs des dits pays, qui ont versé des sommes à titre de cautionnement, dépôts, ou consignations dans leurs trésors respectifs, seront fidèlement remboursés.

Art. XXIII. Les titulaires de places assujeties à cautionnement, qui n'ont pas de maniement de déniers, seront remboursés, avec les intérêts jusqu'à parfait paiement à Paris, par cinquième et par année, à partir de la date du présent Traité.

A l'egard de ceux qui sont comptables, ce remboursement commencera au plus tard six mois après la présentation de leurs comptes, le seul cas de malversation excepté. Une copie du dernièr compte sera remise au gouvernement de leur pays, pour lui servir de renseignement et de point de départ.

Art. XXIV. Les dépôts judiciares et consignations faits dans la caisse d'amortissement, en exécution de la loi du 28 Nivose, an. 13, (18 Janvier 1805,) et qui appartiennent à des habitans des pays que la France cesse de posséder, seront rémis dans le terme d'une année, à compter de l'échange des ratifications du présent Traité, entre les mains des autorités des dits pays, à l'exception de ceux de ces dépôts et consignations qui intéressent des sujets Français, dans lequel cas ils resteront dans la caisse d'amortissement pour n'être remis que sur les justifications résultantes des décisions des autorités compétentes.

Art. XXV. Les fonds déposés par les communes et établissemens publics dans la caisse de service et dans la caisse d'amortissement, ou dans toute autre caisse du gouvernement, leur seront remboursés par cinquième, d'année en année, à partir de la date du présent Traité, sous la déduction des avances qui leur auraient été faites, et sauf des oppositions réguliéres faites sur ces fonds par des créanciers des dites communes et des dits établissemens publics.

been prepared for inscription, and have not yet been entered, shall be delivered to the governments of the respective countries. The statement of all these debts shall be drawn up and settled by a joint commission.

Art. XXII. The French government shall remain charged with the reimbursement of all sums paid by the subjects of the said countries into the French coffers, whether under the denomination of surety, deposit, or consignment.

In like manner all French subjects, employed in the service of the said countries, who have paid sums under the denomination of surety, deposit, or consignment, into their respective territories, shall be faithfully reimbursed.

Art. XXIII. The functionaries holding situations requiring securities, who are not charged with the expenditure of public money, shall be reimbursed at Paris, with the interest, by fifths and by the year, dating from the signature of the present Treaty. With respect to those who are accountable, this reimbursement shall commence, at the latest, six months after the presentation of their accounts, except only in cases of malversation. A copy of the last account shall be transmitted to the government of their countries, to serve for their information and guidance.

Art. XXIV. The judicial deposits and consignments upon the “*caisse d'amortissement*” in the execution of the law of 28 Nivose, year 13 (18 January, 1805,) and which belong to the inhabitants of the countries France ceases to possess, shall, within the space of one year from the exchange of the ratifications of the present Treaty, be placed in the hands of the authorities of the said countries, with the exception of those deposits and consignments interesting French subjects, which last will remain in the “*caisse d'amortissement*,” and will only be given up on the production of the vouchers, resulting from the decisions of competent authorities.

Art. XXV. The funds deposited by the corporations and public establishments in the “Caisse de service” and in the “Caisse *d'amortissement*,” or other “*caisse*,” of the French government, shall be reimbursed by fifths, payable from year to year, to commence from the date of the present Treaty; deducting the advances which have taken place, and subject to such regular charges, as may have been brought forward against these funds by the creditors of the said corporations, and the said public establishments.

Art. XXVI. A dater du 1er Janvier, 1814, le gouvernement Français cesse d'être chargé du payement de toute pension civile, militaire, et ecclésiastique, solde de rétraite et traitement de réforme à tout individu qui se trouve n'être plus sujet Français.

Art. XXVII. Les domaines nationaux acquis à titre onereux par des sujets Français dans les ci-devant départemens de la Belgique, de la rive gauche du Rhin et des Alpes, hors des anciennes limites de la France, sont et demeurent garantis aux acquéreurs.

Art. XXVIII. L'abolition des droits d'aubaine, de détraction, et autres de la même nature, dans les pays qui l'ont réciproquement stipulée avec la France, ou qui lui avaient précédemment, été réunis, est expréssément maintenue.

Art. XXIX. Le gouvernement Français s'engage à faire restituer les obligations et outres titres qui auraient été saisis dans les provinces occupées par les armées ou administrations Françaises; et dans le cas où la restitution ne pourrait en être effectuée, ces obligations et titres sont et demeurent anéantis.

Art. XXX. Les sommes qui seront dues pour tous les travaux d'utilité publique non encore terminés ou terminés posterieurement au 31 Decembre 1812, sur le Rhin et dans les départemens detachés de la France par le présent Traité, passeront à la charge des futurs possesseurs du territore, et seront liquidées par la commission chargée de la liquidation des dettes des pays.

Art. XXXI. Les archives, cartes, plans et documens quelconques, appartenant aux pays cédés ou concernant leur administration, seront fidèlement rendus en même tems que le pays, ou, si cela était impossible, dans un délai qui ne pourra être de plus de six mois, après la remise des pays mêmes.

Cette stipulation est applicable aux archives, cartes, et planches, qui pourraient avoir été enlevés dans les pays momentanément occupés par les differentes armées.

Art. XXXII. Dans le délai de deux mois, toutes les puissances qui ont été engagées de part et d'autre dans la présente guerre, enverront des plénipotentiares à Vienne pour régler, dans un Congrès général, les arrangemens qui doivent compléter les dispositions du présent Traité.

Art. XXVI. From the first day of January, 1814, the French government shall cease to be charged with the payment of pensions, civil, military and ecclesiastical; pensions for retirement, and allowances for reduction, to any individual who shall cease to be a French subject.

Art. XXVII. National domains acquired for valuable considerations by French subjects in the late departments of Belgium, and of the left bank of the Rhine, and the Alps beyond the ancient limits of France, and which now cease to belong to her, shall be guaranteed to the purchasers.

Art. XXVIII. The abolition of the "*droits d'aubaine,*" "*de detraction,*" and other duties of the same nature, in the countries which have reciprocally made that stipulation with France, or which have been formerly incorporated, shall be expressly maintained.

Art. XXIX. The French government engages to restore all bonds, and other deeds, which may have been seized in the provinces occupied by the French armies or administrations; and in cases where such restitution cannot be effected, these bonds and deeds become and continue void.

Art. XXX. The sums which shall be due for all works of public utility not yet finished, or finished after the 31st of December, 1812, whether on the Rhine or in the departments detached from France by the present Treaty, shall be placed to the account of the future possessors of the territory, and shall be paid by the commission charged with the liquidation of the debts of that country.

Art. XXXI. All archives, maps, plans and documents whatever, belonging to the ceded countries, or respecting their administration, shall be faithfully given up at the same time with the said countries: or if that should be impossible, within a period not exceeding six months after the cession of the countries themselves.

This stipulation applies to the archives, maps, and plates, which may have been carried away from the countries during their temporary occupation by the different armies.

Art. XXXII. All the powers engaged on either side in the present war, shall, within the space of two months, send plenipotentiaries to Vienna, for the purpose of regulating in general Congress, the arrangements which are to complete the provisions of the present Treaty.

Art. XXXIII. Le présent Traité sera ratifié et les ratifications en seront échangées dans le délai de quinze jours, ou plûtôt si faire se peut.

En foi de quoi les plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

Fait à Paris, le trente Mai l'an de Grace, mil huit-cent quatorze.

(L. S.) Castlereagh. (L. S.) Le Prince de
(L. S.) Aberdeen. Benevent.
(L. S.) Cathcart.
(L. S.) Charles Stewart, Lieut.-Gen.

## ARTICLES ADDITIONNELS.

Art. 1. Sa Majesté trés Chretienne, partageant sans reserve tous les sentimens de sa Majesté Britannique, relativement à un genre de commerce, que repoussent et les principes de la justice naturelle et les lumières des temps où nous vivons, s'engage à unir au futur Congrès tous ses efforts a ceux de sa Majesté Britannique, pour faire prononcer par toutes les puissances de la Chrétienté l'abolition de la Traite des Noirs, de telle sorte que la dite Traite cesse universellement, comme elle cessera définitivement, et dans tous les cas, de la part de la France, dans un délai de cinq années: et qu'en outre, pendant la durée de ce délai aucun traffiquant d'esclaves n'en puisse importer ni vendre ailleurs que dans les colonies de l'état dont il est sujet.

Art. II. Le gouvernement Britannique et le gouvernement Français, nommeront incessament des commissaires pour liquider leurs dépenses respectives pour l'entretien des prisonniers de guerre, afin de s'arranger sur la manière d'acquitter l'excédent, qui se trouvera en faveur de l'une ou de l'autre des deux puissances.

Art. III. Les prisonniers de guerre respectifs seront tenus d'acquitter, avant leur départ du lieu de leur détention, les dettes particulières qu'ils pourraient y avoir contracteés, ou de donner au moins caution satisfaisante.

Art. IV. Il sera accordé de part et d'autre, aussi-tôt après la ratification du présent Traité de Paix, main levée du séquestre qui aurait été mis depuis l'an 1792 (mil sept cent quartre vingt douze), sur les fonds, revenus, créances et autres effêts quelconques des hautes parties contractantes ou de leurs sujets.

Les mêmes commissaires dont il est fait mention à l'Article 2, s'occuperont de

Art. XXXIII. The present Treaty shall be ratified, and the ratifications shall be exchanged within the period of fifteen days, or sooner if possible.

In witness whereof the respective plenipotentiaries have signed and affixed to it the seals of their arms.

Done at Paris the thirtieth of May, in the year of our Lord one thousand eight hundred and fourteen.

(L. S.) Castlereagh. (L. S.) Le Prince de
(L. S.) Aberdeen. Benevent.
(L. S.) Cathcart.
(L. S.) Charles Stewart, Lieut.-Gen.

## ADDITIONAL ARTICLES.

Art. I. His Most Christian Majesty, concurring without reserve in the sentiments of his Britannic Majesty, with respect to a description of traffic repugnant to the principles of natural justice and of the enlightened age in which we live, engages to unite all his efforts to those of his Britannic Majesty, at the approaching Congress, to induce all the powers of Christendom to decree the abolition of the Slave Trade, so that the said Trade shall cease universally, as it shall cease definitively, under any circumstances, on the part of the French government, in the course of five years; and that, during the said period, no slave merchant shall import or sell slaves, except in the colonies of the state of which he is a subject.

Art. II. The British and French governments shall name, without delay, commissioners to liquidate the accounts of their respective expences for the maintenance of prisoners of war, in order to determine the manner of paying the balance which shall appear in favour of the one or the other of the two powers.

Art. III. The respective prisoners of war, before their departure from the place of their detension, shall be obliged to discharge the private debts they may have contracted, or shall at least give sufficient security for the amount.

Art. IV. Immediately after the ratification of the present Treaty of Peace, the sequesters, which since the year 1792 (one thousand seven hundred and ninety-two) may have been laid on the funds, revenues, debts, or any other effects of the high contracting parties or their subjects, shall be taken off.

The commissioners mentioned in the 2d Article shall undertake the examination of l'examen et de la liquidation des réclamations des sujets de sa Majesté Britannique envers le gouvernement Français pour la valeur des biens, meubles ou immeubles, induement confisqués par les autorités Françaises, ainsi que pour la perte totale ou partielle de leur créances ou autres propriétés induement rétenues sous le séquestre depuis l'année 1792, (mil sept cent quatre vingt douze).

La France s'engage à traiter à cet égard les sujets Anglais avec la même justice que les sujets Français ont éprouvé en Angleterre; et le governement Anglais désirant concourrir pour sa part au nouveau témoignage que les puissances alliés ont voulu donner à sa Majesté très Cretienne, de leur désir de faire disparaitre les conséquences de l'époque de malheur si heureusement terminée par la présente paix, s'engage de son côté, à renoncer, dès que justice complette sera rendue à ses sujets, à la totalité de l'excédent qui se trouverait en sa faveur relativement à l'entretien des prisonniers de guerre: de manière que la ratification du resultat du travail des commissaires susmentionnés et l'acquit des sommes, ainsi que la restitution des effêts qui seront jugés appartenir aux sujéts de sa Majesté Britannique completteront sa renonciation.

Art. V. Les deux hautes parties contractantes, desirant d'établir les relations les plus amicales entre leur sujets respectifs, se reservent et promettent de s'entendre, et de s'arranger le plû-tôt que faire se pourra sur leur interèts commerciaux dans l'intention d'encoùrager et d'augmenter la prospérité de leurs états respectifs.

Les présens Articles additionnales auront la même force et valeur que s'ils étaient insérés mot à mot au traité de ce jour. Ils seront ratifiés et les ratifications en seront échangées en même tems.

En foi de quoi, les plénipotentiaires respectifs les ont signés et y ont apposés le cachet de leurs armes.

Fait à Paris, le trente Mai, l'an de Grace mil huit cent quatorze.

(L. S.) Castlereagh. (L. S.) Le Prince de Benevent.
(L. S.) Aberdeen.
(L. S.) Cathcart.
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the claims of his Britannic Majesty's subjects upon the French government, for the value of the property, moveable or immovable, illegally confiscated by the French authorities, as also for the total or partial loss of their debts or other property, illegally detained under sequester since the year 1792, (one thousand seven hundred and ninety-two).

France engages to act towards British subjects in this respect, in the same spirit of justice which the French subjects have experienced in Great Britain; and his Britannic Majesty, desiring to concur in the new pledge which the allied powers have given to his most Christian Majesty, of their desire to obliterate every trace of that disastrous epocha so happily terminated by the present peace, engages on his part, when complete justice shall be rendered to his subjects, to renounce the whole amount of the balance which shall appear in his favour for she support of the prisoners of war, so that the ratification of the report of the above commissioners, and the discharge of the sums due to British subjects, as well as the restitution of the effects which shall be proved to belong to them, shall complete the renunciation.

Art. V. The two high contracting parties, desiring to establish the most friendly relations between their respective subjects, reserve to themselves, and promise to come to a mutual understanding and arrangement, as soon as possible, upon their commercial interests, with the view of encouraging and increasing the prosperity of their respective states.

The present additional Articles shall have the same force and validity as if they were inserted, word for word, in the Treaty Patent of this day. They shall be ratified, and the ratifications shall be exchanged at the same time.

In witness whereof, the respective plenipotentiaries have signed and affixed to them the seals of their arms.

Done at Paris, the thirtieth day of May, in the year of our Lord one thousand eight hundred and fourteen.

(L. S.) Castlereagh. (L. S.) Le Prince de Benevent.
(L. S.) Aberdeen.
(L. S.) Cathcart.
(L. S.) Charles Stewart, Lieut.-Gen.

PAPERS RELATING TO THE LATE NEGOCIATIONS FOR PEACE.] Lord Castlereagh presented to the House the following Papers:

No. 1. Extract of a DISPATCH from Viscount Castlereagh to the Earl of Liverpool; dated, Paris, April 13th, 1814.

"I desired, however, to decline, on the part of my government, being more than an acceding party to the Treaty; and declared, that the Act of Accession, on the part of Great Britain, could not go beyond the territorial arrangements proposed in the Treaty."

(Enclosure.)—Extrait d'une PROTOCOLE, Paris, 10th April, 1814.

Les plénipotentiaires de sa majesté l'Empereur Napoleon, et ceux des puissances alliées, s'etant réunis aujourd'hui, sont convenus des Articles du Traité qui fixe les arrangements relatifs à l'Empereur Napoleon et à sa famille.

Lord Castlereagh, ministre de sa Majesté Britannique, a déclaré, que l'Angleterre ne pouvoit intervenir comme partie au susdit Traité; mais a promis de rapporter l'Acte d'Accession de sa cour, dans le plus bref delai, en tant que cela concerne la libre possession et paisible jouissance en toute souveraineté de l'îsle de l'Elbe, et des duchés de Parme, Plaisance, et Guastalla. Lord Castlereagh a aussi promis de donner les passeports et suretés necessaires pour le voyage.

(Translation.)—Extract of a PROTOCOLE, Paris, 10th April, 1814.

The plenipotentiaries of his majesty the Emperor Napoleon, and those of the allied powers, being assembled this day, have agreed upon the Articles of the Treaty which determines the arrangements relative to the Emperor Napoleon and his family.* Lord Castlereagh, minister of his Britannic Majesty, declared that England could not become a party to the said Treaty; but he promised to give in the Act of Accession of his court, with the least delay, to so much as concerns the free possession and peaceable enjoyment in full sovereignty of the island of Elba, and the duchies of Parma, Placentia and Guastalla. Lord Castlereagh also promised to give the necessary passports and securities for the voyage.

No. 2. Copy of DISPATCH from Lord Castlereagh to Earl Bathurst; dated, Paris, 27th April, 1814.

Paris, April 27, 1814.

My Lord; I have the honour to transmit to your lordship an Act, which I have this day executed here, containing the accession of Great Britain to certain parts of the Treaty lately concluded, with respect to the family and person of Napoleon Buonaparte. I am, &c. &c.

(Signed) CASTLEREAGH.

The Earl Bathurst,
&c. &c. &c.

Certified COPY of the Act of Accession on the part of Great Britain, to the Treaty with respect to Napoleon Buonaparté, April 27, 1814.

Whereas their imperial and royal majesties, the Emperor of Austria, King of Hungary and Bohemia, the Emperor of all the Russias, and the King of Prussia, have entered into a Treaty, concluded at Paris on the 11th April of the present year, for the purpose of granting for such respective periods, as in the said Treaty are mentioned, to the person and family of Napoleon Buonaparte, the possession in sovereignty of the island of Elba, and the duchies of Parma, Placentia and Guastalla, and for all other purposes; which Treaty has been communicated to the Prince Regent of the United Kingdom of Great

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* The following is a Copy of the Articles of the Treaty between the Allied Powers and his majesty the Emperor Napoleon.

Art. 1. His majesty the Emperor Napoleon renounces for himself, his successors, and descendants, as well for all the members of his family, all right of sovereignty and dominion, as well as to the French empire, and the kingdom of Italy, as over every other country.

Art. 2. Their majesties the Emperor Napoleon and Maria Louisa shall retain their titles and rank, to be enjoyed during their lives. The mother, the brothers, sisters, nephews and nieces of the Emperor, shall also retain, wherever they may reside, the titles of princes of his family.

Art. 3. The Isle of Elba, adopted by his majesty the Emperor Napoleon as the place of his residence, shall form, during his life, a separate principality, which

Britain and Ireland, by the ministers of their imperial and royal majesties, the Emperor of Austria, King of Hungary and Bohemia, the Emperor of all the Russias, and the King of Prussia; who, in the name of their respective sovereigns, have

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shall be possessed by him in full sovereignty and property; there shall be besides granted, in full property, to the emperor Napoleon, an annual revenue of 2,000,000*l.* francs, in rent charge, in the great book of France, of which 1,000,000 shall be in reversion to the Empress.

Art. 4. The duchies of Parma, Placentia, and Guastalla, shall be granted, in full property and sovereignty to her majesty the Empress Maria Louise; they shall pass to her son, and to the descendants in the right line. The prince, her son, shall from henceforth take the title of Prince of Parma, Placentia, and Guastalla.

Art. 5. All the powers engage to employ their good offices to cause to be respected by the Barbary powers the flag and the territory of the Isle of Elba, for which purpose the relations with the Barbary powers shall be assimilated to those with France.

Art. 6. There shall be reserved in the territories hereby renounced, to his majesty the Emperor Napoleon, for himself and his family, domains or rent-charges in the great book of France, producing a revenue clear of all deductions and charges, of 2,500,000 francs. These domains or rents shall belong, in full property, and to be disposed of as they shall think fit, to the princes and princesses of his family, and shall be divided amongst them in such manner that the revenue of each shall be in the following proportion; viz.

| | Francs. |
|---|---|
| To Madame Mère - - - - | 300,000 |
| To King Joseph and his Queen | 500,000 |
| To King Louis - - - - - | 200,000 |
| To the Queen Hortense and to her children - - - - - | 400,000 |
| To King Jerome and his Queen | 500,000 |
| To the Princess Eliza - - - | 300,000 |
| To the Princess Paulina - - | 300,000 |
| | 2,500,000 |

The princes and princesses of the house of the Emperor Napoleon shall retain besides their property, movable and immovable, of whatever nature it may be, which they shall possess by individual and public right, and the rents of which they shall enjoy (also as individuals.)

Art. 7. The annual pension of the Empress Josephine shall be reduced to 1,000,000, in domains, or in inscriptions in the great book of France: she shall continue to enjoy, in full property, all her private property, movable and immovable, with power to dispose of it conformably to the French laws.

Art. 8. There shall be granted to Prince Eugene, viceroy of Italy, a suitable establishment out of France.

Art. 9. The property which his majesty the Emperor Napoleon possesses in France, either as extraordinary domain, or as private domain, attached to the crown, the funds placed by the emperor, either in the great book of France, in the bank of France, in the *Actions des Forets*, or in any other manner, and which his majesty abandons to the crown, shall be reserved as a capital, which shall not exceed 2,000,000, to be expended in gratifications in favour of such persons, whose names shall be contained in a list to be signed by the Emperor Napoleon, and which shall be transmitted to the French government.

Art. 10. All the crown diamonds shall remain in France.

Art. 11. His majesty the Emperor Napoleon shall return to the treasury, and to the other public chests, all the sums and effects that shall have been taken out by his orders, with the exception of what has been appropriated from the civil list.

Art. 12. The debts of the houshold of his majesty the Emperor Napoleon, such as they were on the day of the signature of the present Treaty, shall be immediately discharged out of the arrears due by the public treasury to the civil list, according to a list, which shall be signed by a commissioner appointed for that purpose.

Art. 13. The obligations of the Mont-Napoleon, of Milan, towards all the creditors, whether Frenchmen or foreigners, shall be exactly fulfilled, unless there shall be any change made in this respect.

Art. 14. There shall be given all the necessary passports for the free passage of his majesty the Emperor Napoleon, or of the empress, the princes, and princesses, and all the persons of their suites who wish to accompany them, or to establish themselves out of France, as well as for the passage of all the equipages, horses, jointly invited the Prince Regent to accede to the same in the name and on the behalf of his Majesty.

His royal highness the Prince Regent, having full knowledge of the contents of the said Treaty, accedes to the same, in the name and on the behalf of his Majesty, as far as respects the stipulations relative to the possession in sovereignty of the island of Elba, and also of the duchies of Parma, Placentia and Guastalla. But his Royal Highness is not to be considered, by this Act of Accession, to have become a party, in the name of his Majesty, to any of the other provisions and stipulations contained therein.

Given under my hand and seal, at Paris, this twenty-seventh day of April, in the year of our Lord one thousand eight hundred and fourteen.

By command of his royal highness the Prince Regent, acting in the name and on the behalf of his Majesty.

(L. S.) CASTLEREAGH.

A true Copy,
*Castlereagh.*

## HOUSE OF COMMONS.

*Friday, June 24.*

THANKS OF THE HOUSE TO LIEUT.-GENERAL SIR WILLIAM STEWART.] Lieutenant-General the hon. sir William Stewart, being come to the House, Mr. Speaker acquainted him, that the House had, upon the 7th of July, 1813, resolved, That the Thanks of this House be given to him, for his great exertions upon the 21st of June 1813 was Vittoria, when the French army was completely defeated by the allied forces under the Marquess of Wellington's command; and Mr. Speaker gave him the Thanks of the House accordingly, as follows:

"Lieut.-general Sir William Stewart.

"I have to thank you, in the name of your country, for a series of signal and splendid services; and first, for that which your gallantry atchieved in the battle of Vittoria.

"When the usurper of the Spanish crown put his fortunes to the last hazard, it was the brave second division of the allied army, directed by lord Hill, and acting under your command, which began the operations of that memorable day, and by its irresistible valour mainly contributed to that victory, which drove back the armies of France to their own frontier, and rescued the Peninsula from its invaders and oppressors.

"By your atchievements in that field of glory, you enrolled your name amongst the distinguished officers upon whom this House bestowed the honour of its thanks;

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and effects belonging to them. The allied powers shall in consequence furnish officers and men for escorts.

Art. 15. The French imperial guard shall furnish a detachment of from 1,200 to 1,500 men, of all arms, to serve as an escort to the Emperor Napoleon to St. Tropes, the place of his embarkation.

Art. 16. There shall be furnished a corvette and the necessary transport vessels to convey to the place of his destination his majesty the Emperor Napoleon and his houshold; and the corvette shall belong, in full property, to his majesty the Emperor.

Art. 17. The Emperor Napoleon shall be allowed to take with him and retain as his guard 400 men, volunteers, as well officers, as sub officers and soldiers.

Art. 18. No Frenchman who shall have followed the Emperor Napoleon or his family, shall be held to have forfeited his rights as such, by not returning to France within three years, at least they shall not be comprised in the exceptions which the French government reserves to itself to grant after the expiration of that term.

Art. 19. The Polish troops, of all arms, in the service of France, shall be at liberty to return home, and shall retain their arms and baggage, as a testimony of their honourable services. The officers, sub-officers, and soldiers shall retain the decorations which have been granted to them, and the pensions annexed to those decorations.

Art. 20. The high allied powers guarantee the execution of all the Articles of the present Treaty, and engage to obtain that it shall be adopted and guaranteed by France.

Art. 21. The present Act shall be ratified, and the ratifications exchanged at Paris within two days, or sooner if possible.

Done at Paris the 11th of April, 1814.

(L. S.) The Prince de METTERNICH—J. P. Compte de STADION—ANDRE Compte de RASOMOUFFSKY—CHARLES ROBERT Compte de NESSELRODE—CASTLEREAGH—CHARLES AUGUSTE Baron de HARDENBERG.
(L. S.) Marshal NEY.
(L. S.) CAULINCOURT.

and I do therefore now, in the name and by the command of the Commons of the united kingdom of Great Britain and Ireland, in parliament assembled, deliver to you their unanimous Thanks, for your great exertions, in the splendid and decisive victory obtained on the 21st of June, 1813, near Vittoria, when the French army was completely defeated and routed, with the total loss of all its artillery, stores, and baggage."

Upon which Lieutenant-General Sir *William Stewart* said:

" Mr. Speaker;—Unaccustomed as I am to express my sentiments before so important an assembly of my countrymen, or to receive praise for what few services I may have rendered in my profession, in so liberal and so generous a manner as you have now conveyed the sense of this House, I am at a loss to make any adequate return; I feel, however, deeply on this proud occasion: I should be ungrateful if I were to take to myself much of the merit that you have been pleased to ascribe to my services in the particular action in question; for to those who gallantly supported me, is the merit due: I cannot advert to that battle, and not submit to the memory, and, if I may use the term, to the affection of this House, the name of one gallant officer upon whom the brunt of the contest particularly fell; I mean, Sir, the late colonel Cadogan: the fall of that officer was glorious, as his last moments were marked by the success of a favourite regiment, upon the magnanimity of whose conduct he kept his eyes fixed during the expiring hour of a well-finished life. I should be ungrateful for the services which were rendered me by colonel Cameron and by general Byng, on that, and on all occasions, if I were not thus publicly to advert to them in my present place; for to their exertions and support am I indebted for the success of those measures of which I am reaping the rich reward from my country at your too generous hand this day. Permit me, Sir, to repeat my gratitude for the too kind and too flattering manner in which you have communicated the sense of this House to me this day; I should be truly ungrateful if I did not feel the honour in its full force, and I should be doubly so towards you, Sir, if I were insensible to the peculiarly distinguished mode in which you have now conferred that honour upon me."

THANKS OF THE HOUSE TO LIEUT.-GENERAL SIR WM. STEWART AND MAJOR-GENERAL PRINGLE.] Major-general William Henry Pringle being also come to the House, and lieut.-general the hon. sir William Stewart being present, Mr. Speaker acquainted them that the House had, upon the 8th of November last, resolved, that the Thanks of this House be given to them for the valour, steadiness, and exertion, so successfully displayed by them in repelling the repeated attacks made on the positions of the allied army by the whole French force, under the command of marshal Soult, between the 25th of July and 1st of August last; and Mr. Speaker gave them the Thanks of the House accordingly, as follows:

" Lieut.-general sir William Stewart and major-general Pringle,

" It is my duty now to deliver to you conjointly the Thanks of this House, for your gallant and meritorious services in those memorable actions which completed the liberation of Spain.

" The inhabitants of the Pyrenees, who witnessed those mighty conflicts, will long point out to their admiring countrymen, those various heights and passes where the valour of British troops, under your command, at some times repelled the attacks of superior force, where at other times its steadiness effected a retreat which only led to a more certain victory, and where, finally, it returned with an overwhelming pursuit upon the broken ranks of the enemy: they will also point out those spots where the gallant officers whom we now see amongst us fought through long and toilsome days, where a Stewart made his stand, and where the noblest blood of Scotland was shed in its defences. The historians of those campaigns will also record that your exploits were honoured with the constant and unqualified praises of that illustrious commander, whose name stands highest upon our roll of military renown.

" For your important share in those operations, this House thought fit to bestow upon you the acknowledgments of its gratitude; and I do now accordingly, in the name and by the command of the Commons of this united kingdom, deliver to you their unanimous Thanks, for the valour, steadiness, and exertion, so successfully displayed by you, in repelling the repeated attacks made on the positions of the allies by the whole French force under marshal Soult, between the 25th of July and 1st of

August last, and for your undaunted perseverance, by which the allied army was finally established on the frontier of France."

Upon which lieutenant-general Sir *William Stewart* said:

"Mr. Speaker;—As I have before had the honour of stating, I must feel, Sir, that to others is due from me, while receiving the highest honour that can be bestowed on a British soldier, the report of their admirable conduct during the actions in question: supported as I was by my gallant friend on my right, (major-general Pringle,) by such corps as the 92d Highlanders, or the 50th British Infantry, I should have been without excuse if a less firm stand had been made on the positions of the Pyrenees than was made; I should have done injustice to the design of our great captain, and to the instructions of my own immediate commander, if I had less exerted myself than I did on these occasions.

"That our endeavours have met with the approbation of our country, and have received from you, Sir, so generous an expression of that approbation, is the proudest event of our lives; it ought and will animate us to devote our best exertions in the future service of that country."

Major-general *William Henry Pringle* then said;

"Mr. Speaker;—I am highly sensible of the honour I have just received by the Thanks of this House; I consider their approbation as the most honourable reward which a military man can receive, and one far beyond what any feeble efforts of mine can deserve. The able arrangement of the general under whom I served, and the bravery of the troops I had the honour to command, left little to be done by any exertions of mine, which I feel more than amply rewarded by the approbation of this House. The satisfaction I feel on this occasion, is still further increased by the very flattering manner in which you have been pleased to communicate the Thanks of the House to me.

THANKS OF THE HOUSE TO LIEUTENANT-GENERALS SIR THOS. PICTON, SIR WM. STEWART, SIR HENRY CLINTON, AND MAJOR GENERAL PRINGLE.] Lieutenant-Generals sir Thomas Picton and sir Henry Clinton, being also come to the House, and lieut.-general sir William Stewart and major-general William Henry Pringle being present, Mr. Speaker acquainted them, that the House had, upon the 24th day of March last, resolved, That the Thanks of this House be given to them for their able and distinguished conduct throughout the operations which concluded with the entire defeat of the enemy at Orthes, on the 27th of February last, and the occupation of Bourdeaux by the allied forces; and Mr. Speaker gave them the Thanks of the House accordingly, as follows:

"Lieutenant-general sir Thomas Picton, lieutenant-general sir William Stewart, lieutenant-general sir Henry Clinton, and major-general Pringle.

"You stand amongst us this day, to receive our Thanks for great and signal victories won by British arms in the fields of France.

"Descending from the Pyrenees, surmounting in adverse seasons, all the difficulties of a country deeply intersected, and passing with unparalleled skill and boldness the formidable torrents of Navarre, after a series of arduous and sanguinary conflicts, you came up with the collected forces of the enemy, posted upon the heights of Orthes. Attacked on all sides by British valour, the troops of France at length gave way, and commenced their retreat; pressed however upon each flank, that retreat was soon changed into a flight, and that flight to a total rout: pursuing their broken legions across the Adour, and seizing upon their strong holds and accumulated resources, you then laid open your way, on the one hand, to the deliverance of Bourdeaux, and, on the other, to the lamented but glorious day of Toulouse.

"It has been your fortune to reap the latest laurels in this long and memorable war; and, leading forward your victorious columns from the Tagus to the Garonne, you have witnessed, with arms in your hands, the downfall of that gigantic tyranny which your own prowess has so materially contributed to overthrow.

"Informed of these triumphant exploits, this House lost no time in recording its Thanks to all who had bravely fought the battles of their country. But to those whom we glory to reckon amongst our own members, it is my duty and happiness to deliver those Thanks personally. And I do now accordingly, in the name, and by the command of the Commons of this United Kingdom, deliver to you their unanimous Thanks, for your able and distinguished conduct throughout all those operations which concluded with the entire defeat of the enemy at Orthes, and the occupation of Bourdeaux by the allied forces of Great Britain, Spain, and Portugal."

Upon which lieutenant-general sir *Thomas Picton* said :

" Mr. Speaker; I return my thanks to this honourable House for the honour conferred upon me.

Lieutenant-general sir *William Stewart* then said :

" Mr. Speaker; I feel overcome by the repeated honour which you have now conferred on me, and can but ill express what I am sensible of on this occasion of high personal honour; I can only say, Sir, that myself, as well as those who were under my command in the memorable actions alluded to by you, Sir, did our duty to the best of our power, and have now been greatly rewarded. The most happy events have returned us to our country, and that we may act the part of good citizens, as you have been pleased to say that we have done that of good soldiers, is our next duty.

" If future events call us again to the field, a circumstance that may heaven long avert, our greatest good fortune will be, to serve under the auspices of so generous a House of Commons as that which I now address; and more especially to have the generous sentiment of that House communicated through so liberal a channel as has been the case this day."

Lieut.-gen. sir *Henry Clinton* then said :

" Mr. Speaker; I am very grateful to the House for the honour which has been conferred upon me by their vote of Thanks for my services in the battle of Orthes. I feel proud to have been thought deserving of this high and distinguished reward; and I beg, Sir, that you will accept my best thanks for the obliging terms in which you have conveyed the vote of the House."

Major general *William Henry Pringle* then said :

" Mr Speaker; I must again repeat the high sense I feel of the honour I have received; and must esteem this as the proudest day of my life, in which my conduct has twice met the the approbation of this House."

Lord *Castlereagh* said, that gratifying as it was to the House and the country, to witness the thanks of the House returned to the gallant officers who had just sat down, he could only say that the pleasure was increased by hearing them delivered from the chair with so much elegance and dignity. He therefore moved, " That what has been now said by Mr. Speaker, in giving the Thanks of this House to lieutenant generals sir Thomas Picton, the honourable sir William Stewart, and sir Henry Clinton, and major general William Henry Pringle, together with their answers thereto, be printed in the votes of this day." Ordered, *nem. con.*

COPY OF THE RECORD OF THE CONVICTION OF LORD COCHRANE AND OTHERS.] Mr. White, from the Court of King's-bench, presented at the bar, the following Paper, intituled—Easter Term, 54th Geo. 3, 1814. London, the King against De Berenger and others. Copy of Record.

PLEAS before our lord the KING at Westminster, of Easter term, in the 54th year of the reign of our sovereign lord George the 3d, by the grace of God of the united kingdom of Great Britain and Ireland, King, defender of the faith.

Amongst the Pleas of the King. Roll.

" London. Sometime ago (that is to say) on Wednesday, the 20th day of April, in the 54th year of the reign of our sovereign lord George the 3d, by the grace of God, of the united kingdom of Great Britain and Ireland, King, defender of the faith; at the general session of Oyer and Terminer of our lord the King, holden for the city of London, at Justice-hall in the Old Bailey, within the parish of St. Sepulchre, in the ward of Farringdon without, in London aforesaid; before William Domville, esq., mayor of the city of London, the right hon. Edward lord Ellenborough, chief justice of our said lord the King, assigned to hold pleas before the King himself, sir Alan Chambre, knt., one of the justices of our said lord the King, of his court of Common Pleas, sir Robert Graham, knt., one of the barons of our said lord the King, of his court of Exchequer, sir Richard Carr Glyn, bart., sir John Perring, bart., sir Charles Flower, bart., aldermen of the said city, John Sylvester, esq., Recorder of the said city, sir Matthew Bloxam, knt., Robert Albion Cox, esq., other of the aldermen of the said city, Newman Knowlys, esq., and others their fellows, justices of our said lord the King, assigned by letters patent of our said lord the King, made under the great seal of our said lord the King of the united kingdom of Great Britain and Ireiand, to the same justices above named and others, or any two or more of them directed, to enquire more fully the truth, by the oath of good and lawful men of the city of London, and by other ways, means, and methods, by which they should or might better know, (as well within liberties as without), by whom the truth of the matter might be better known, of all treasons, misprisions of treasons, insurrections, rebellions, counterfeitings, clippings, washings, false coinings, and other falsities of the money, of Great Britain and other kingdoms or dominions whatsoever, and of all murthers, felonies, manslaughters, killings, burglaries, rapes of women, unlawful meetings, conventicles, unlawful uttering of words, assemblies, misprisions, confederacies, false allegations, trespasses, riots, routs, retentions, escapes, contempts, falsities, negligences, concealments, maintenances, oppressions, champarties, deceipts, and all other evil doings, offences, and injuries whatsoever, and also the accessaries of them, within the city aforesaid (as well within liberties as without), by whomsoever, and in what manner soever done, committed or perpetrated, and by whom or to whom, when, how, and after what manner, and of all other articles and circumstances concerning the premises, and every of them, or any of them in any manner whatsoever; and the said treasons, and other the premises, to hear and determine, according to the laws and customs of England, by the oath of twelve jurors, good and lawful men of the said city, then, there sworn, and charged to enquire for our said lord the King for the body of the same city; it was presented as followeth, (that is to say) London: the jurors for our lord the King upon their oath present, That at the times of committing the several offences in this first count, and the several other counts of this indictment mentioned, there was, and for a long time before (to wit) two years and upwards, had been an open and public war between our lord the king and his subjects, and his allies and the then ruler of France (to wit) Napoleon Buonaparté and the people of France; and that Charles Random De Berenger, late of the parish of St. Mary, Lambeth, in the county of Surrey, gentleman; sir Thomas Cochrane, commonly called lord Cochrane, late of the parish of St. George, Hanover-square, in the county of Middlesex, knight of the bath; Andrew Cochrane Johnstone, late of the parish of St. Mary-le-Bone, in the said county of Middlesex, esq.; Richard Gathorne Butt, late of the said parish of St. Mary-le-Bone, in the said county of Middlesex, gentleman; Ralph Sandom, late of the parish of Northfleet, in the county of Kent, gentleman; Alexander M'Rae, late of London, gentleman; John Peter Holloway, late of London aforesaid, wine merchant; and Henry Lyte, late of the parish of St. Martin in the Fields, in the said county of Middlesex, gentleman; supposing and believing, that false reports and rumours of the death of the said Napoleon Buonaparté, and of disasters and losses having recently occurred and happened to the said people of France, would induce the subjects of our said lord the King, to suppose and believe, that a peace between our said lord the King and his subjects, and the said people of France, would soon be made, and that an increase and rise in the prices of the public government funds, and other government securities of this kingdom, would be occasioned thereby, and unlawfully, designedly, and fraudulently contriving, and intending to injure and aggrieve the subjects of our said lord the King, who should make purchases of, and in the said public government funds, and government securities of this kingdom, on the 19th day of February, in the 54th year of the reign of our sovereign lord George the 3d, by the grace of God of the united kingdom of Great Britain and Ireland, King, defender of the faith, with force and arms at London, that is to say, at the parish of St. Bartholomew, by the Exchange, in the ward of Broad-street, in London aforesaid, unlawfully, knowingly, designedly, and fraudulently did conspire, combine, confederate, and agree together, to make and propagate, and to cause and procure to be made and propagated, a false report and rumour, that the French had been then lately beaten in battle, and that the said Napoleon Buonaparté was killed, and that the allies of our said lord the King were in Paris, and that they, the said Charles Random De Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, would thereby, as far as in them lay, induce the subjects of our said lord the King, to suppose and believe, that a peace would soon be made between our said lord the King and his subjects and the said people of France, and occasion an increase and rise in the prices of the public government funds, and other government securities of this kingdom; and that they, the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway repectively, should then sell, and cause, and procure to be sold for them, the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, to divers of the liege subjects of our said lord the King, divers large parts and shares of, and in the said public government funds, and other government securities, at higher and greater prices than the said parts and shares of and in the said public goverment funds, and other government securities, would otherwise sell for, with a wicked and fraudulent intention, to thereby cheat and defraud the said liege subjects of our said lord the King of divers large sums of money: and that afterwards (to wit) on the 21st day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid (to wit) at Dover, in the county of Kent, the said Charles Random de Berenger, in pursuance and prosecution of the said conspiracy, did unlawfully, knowingly, designedly, and fraudulently, write a certain false and counterfeit letter, containing divers false matters; which said false and counterfeit letter is directed as follows (that is to say) "To the hon. J. Foley, port admiral, Deal, &c. &c. &c." and is to the tenor and effect following (that is to say)

"Dover one o'clock A. M.
Feb. 21st, 1814.

"Sir; I have the honour to acquaint you, that the l'Aigle from Calais, Pierre Duquin, master, has this moment landed me near Dover, to proceed to the capital with dispatches of the happiest nature. I have pledged my honour that no harm shall come to the crew of the l'Aigle; even with a flag of truce they immediately stood for sea, should they be taken, I have to entreat you immediately to liberate them; my anxiety will not allow me to say more for your gratification than that the Allies obtained a final victory, that Buonaparté was overtaken by a party of Sachens Cossacks, who immediately slew him, and divided his body between them; general Platoff saved Paris from being reduced to ashes, the allied sovereigns are there, and the white cockade is universal; an immediate peace is certain. In the utmost haste I entreat your consideration, and I have the honour to be—Sir, your most obedient humble servant, R. Du Bourgh, lieutenant colonel, and aid de camp to lord Cathcart."

To the hon. J. Foley,
port admiral, Deal, &c. &c.

And did then and there send, and cause, and procure to be sent and delivered, the said false and counterfeit letter to Thomas Foley, esquire, at Deal, in the said county of Kent, he, the said Thomas Foley, then and there, being the commander in chief of his Majesty's ships and vessels employed on the Downs station, with intention that the said Thomas Foley should by telegraph communicate the false matters in the said false and counterfeit letter, contained to the commissioners of our said lord the King for executing the office of lord high admiral of Great Britain, and that the said false matters should be promulgated and publicly made known to the liege subjects of our said lord the King: and the said Charles Random de Berenger did also then and there, unlawfully, knowingly, designedly, and fraudulently, falsely assert, and report to divers liege subjects of our said lord the King (to wit) to Timothy Wright and other persons, whose names to the jurors aforesaid, are unknown, that he, the said Charles Random de Berenger, had just then landed and arrived from France, and that the French were beaten, and that the said Napoleon Buonaparté was killed, and that the Allies of our said lord the King were then in Paris: and the said Charles Random de Berenger, on the same day and year aforesaid, did travel from Dover aforesaid, along the King's common highway, towards London aforesaid, and did unlawfully, knowingly, designedly, and fraudulently, falsely assert, and report at Dartford, in the said county of Kent, and at other places on his way along the said King's common highway, between Dover aforesaid, and London aforesaid, the several false matters and things last-mentioned to divers other of the liege subjects of our said lord the King, with intention that the said last-mentioned false matters and things should be believed to be true, and should be generally reported and rumoured by the said liege subjects of our said lord the King, to whom he asserted and reported the same as aforesaid, to divers other of the liege subjects of our said lord the King, and more especially with intention that the said false assertions and reports should reach London aforesaid, and be reported, and rumoured, and believed by the liege subjects of our said lord the King there: and that afterwards (to wit) on the said 21st day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid, to wit, at Dartford aforesaid, in the said county of Kent, the said Ralph Sandom, Alexander M'Rae, and Henry Lyte, in pursuance and further prosecution of the aforesaid conspiracy, did unlawfully, designedly, and fraudulently hire, and take a post chaise, to go from Dartford aforesaid, and did go therein from thence (the said Alexander M'Rae and Henry Lyte, then and there having white cockades in certain cocked hats, which they, the said Alexander M'Rae and Henry Lyte, then and there had and wore on their persons, and the horses then and there drawing the said post-chaise, then and there being decorated with branches of laurel) to and over London-bridge, and through the city of London, unto and over Blackfriars-bridge in the said city, and unto a certain place in the parish of Saint Mary Lambeth, in the county of Surrey, near the Marsh-gate, with intention thereby to induce the liege subjects of our said lord the King, whom they should pass, and who should see them in their aforesaid route and way from Dartford aforesaid, to near the Marsh-gate aforesaid, to suppose and believe, and to report and rumour to divers other of the liege subjects of our said lord the King, that they, the said Ralph Sandom, Alexander M'Rae, and Henry Lyte, were the bearers to the government of this kingdom of great and important foreign news, highly favourable to the interests of our said lord the King and his subjects, and thereby to occasion an increase and rise of the prices of the said public government funds and other government securities of this kingdom, in order and for the purpose that the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, should then sell, and cause, and procure to be sold for them, the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, to divers of the liege subjects of our said lord the King, divers large parts and shares of and in the said public government funds, and other government securities, at higher and greater prices than the said last-mentioned parts and shares of and in the said public government funds and other government securities would otherwise sell for, with a wicked and fraudulent intention, to thereby cheat and defraud the said last-mentioned liege subjects of our said lord the King, of divers large sums of money: and that the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandon, Alexander M'Rae, John Peter Holloway, and Henry Lyte, in pursuance and further prosecution of the aforesaid conspiracy, afterwards (to wit) on the said 21st day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid, did, by means of the premises aforesaid, unlawfully, designedly, and fraudulently, cause and occasion a temporary increase and rise in the prices of the said public government funds and other government securities of this kingdom: and the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway, in pursuance and further prosecution of the aforesaid conspiracy, did then and there (to wit) on the said 21st day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid, unlawfully, designedly, and fraudulently, respectively sell, and cause, and procure to be sold for them respectively, unto divers of the liege subjects of our said lord the King, divers great parts and shares of and in the said public government funds and other government securities (that is to say) the said sir Thomas Cochrane, 139,000*l.* contributions commonly called omnium, towards raising the sum of 22 millions, pursuant to an Act of Parliament made and passed in the 54th year of the reign of our said lord the King; the said Andrew Cochrane Johnstone, 410,000*l.* other contributions commonly called omnium, towards raising the said sum of 22 millions, pursuant to the said Act, and 100,000*l.* three per cent. per annum consolidated bank annuities; the said Richard Gathorne Butt, 224,000*l.* other contributions commonly called omnium, toward raising the said sum of 22 millions pursuant to the said act, and 168,000*l.* other three per cent. per annum consolidated bank annuities; and the said John Peter Holloway 20,000*l.* other contributions commonly called omnium, towards raising the said sum of 22 millions, pursuant to the said Act, and 34,000*l.* other three per cent. per annum consolidated bank annuities; at, and for greater and larger prices than such parts and shares of, and in the said public government funds and other government securities would otherwise have sold for, with a wicked and fraudulent intention, then and there to cheat and defraud the said last-mentioned liege-subjects of our said lord the King respectively, of divers large sums of money of the respective monies, of the said last-mentioned liege subjects of our said lord the King; to the great damage of the said last-mentioned liege subjects of our said lord the King, to the evil example of all other persons in like cases offending, in contempt of our said lord the King and his laws, and against the peace of our said lord the King his crown and dignity:

And the Jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, afterwards and during the aforesaid war (to wit) on the said 19th day of February in the 54th year aforesaid, unlawfully, designedly, and fraudulently contriving and intending to induce the subjects of our said lord the King to believe, that a peace between our said lord the King and his subjects and the people of France would soon be made, and thereby to occasion an increase and rise in the prices of the public government funds and other government securities of this kingdom, and to greatly injure and aggrieve the subjects of our said lord the King, who should on the 21st day of the said month of February, in the 54th year aforesaid, purchase and buy a part or parts, and share or shares of and in the said public government funds, and other government securities of this kingdom, on the said 19th day of February, in the 54th year aforesaid, with force and arms, at the parish and ward aforesaid, in London aforesaid, unlawfully, designedly and fraudulently did conspire, combine, confederate, and agree together, to make and propagate, and to cause and procure to be made and propagated, a false report and rumour, that the French had then lately been beaten in battle, and that the said Napoleon Buonaparté was killed, and that the allies of our said lord the King were then in Paris; and that they, the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, would by such last-mentioned false report and rumour, as far as in them lay, induce the subjects of our said lord the King to suppose and believe, that a peace would soon be made between our said lord the King and his subjects, and the said people of France, and occasion an increase and rise in the prices of the public government funds, and other government securities of this kingdom; and that the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, should then sell, and cause and procure to be sold for them the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, to divers of the liege subjects of our said lord the King, divers other large parts and shares of, and in the said public government funds, and other government securities, at higher and greater prices than the said other parts and shares of and in the said public government funds, and other government securities would otherwise sell for, with a wicked and fraudulent intention to thereby cheat and defraud the said liege subjects of our said lord the King, of divers large sums of money: and that afterwards (to wit) on the said 21st day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid: they, the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, in pursuance and prosecution of the said last-mentioned conspiracy, unlawfully, knowingly, designedly, and fraudulently, did cause and procure divers false reports and rumours to be made, spread, and circulated, unto and amongst divers and very many of the liege subjects of our said lord the King, in certain parts of the counties of Kent and Surrey, (to wit) at Dover, in the said county of Kent, and in, and along, and near unto the King's common highway, leading from Dover aforesaid, to the said city of London, and also in the said city of London, and parts adjacent thereto, that the French had then lately been beaten in battle, and that the said Napoleon Buonaparté was killed, and that the allies of our said lord the King were then in Paris, and that a peace between our said lord the King and his subjects, and the said people of France would soon be made, with intention thereby to occasion an increase and rise in the said public government funds, and other government securities of this kingdom, in order and for the purpose that the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, should then sell, and cause, and procure to be sold for them, the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, and John Peter Holloway respectively, to divers of the liege subjects of our said lord the King, divers other large parts and shares of and in the said public government funds, and other government securities, at higher and greater prices than the said last-mentioned parts and shares of and in the said public government funds, and other government securities, would otherwise sell for, with a wicked and fraudulent intention to thereby obtain from, and cheat, and defraud, the said last-mentioned liege subjects of our said lord the King, of divers large sums of money, of the monies of the said last-mentioned liege subjects of our said lord the King; to the great damage of the said last-mentioned liege subjects of our said lord the King, to the evil example of all other persons in like cases offending, in contempt of our said lord the King and his laws, and against the peace of our said lord the King, his crown and dignity.

" And the jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway and Henry Lyte, afterwards, and during the said war (to wit) on the said 19th day of February, in the 54th year aforesaid, at the parish and ward aforesaid, in London aforesaid, unlawfully, designedly, and fraudulently, contriving and intending, by false reports, rumours, arts, and contrivances, to induce the subjects of our said lord the King to believe, that a peace would soon be made between our said lord the King and his subjects, and the said people of France, and thereby to occasion, without any just or true cause, a great increase and rise in the prices of the public government funds, and other government securities of this kingdom, and to injure and aggrieve the subjects of our said lord the King, who should, on the said 21st day of the said month of February, in the 54th year aforesaid, purchase and buy any part or parts, and share or shares of and in the public government funds, and other government securities of this kingdom, then and there (to wit) on the said 21st day of February, in the 54th year aforesaid, with force and arms at the parish and ward aforesaid, in London aforesaid, unlawfully, designedly, and fraudulently, did conspire, combine, confederate, and agree together, to make and propagate, and cause and procure to be made and propagated, unto and amongst divers of the liege subjects of our said lord the King, in the county of Kent (to wit) at Dover, Deal, and Dartford, and other places in that county, and also unto and amongst divers of the liege subjects of our said lord the King, at London aforesaid, and places adjacent thereto, divers false reports and rumours, that the said Napoleon Buonaparté was killed, and that a peace would soon be made between our said lord the King and his subjects, and the said people of France; and that they, the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, would, by such last-mentioned false reports and rumours, as far as in them lay, occasion an increase and rise in the prices of the public government funds, and other government securities of this kingdom, with a wicked intention to thereby greatly injure and aggrieve all the liege subjects of our said lord the King, who should, on the said 21st day of February, in the 54th year aforesaid, purchase and buy any part or parts, and share or shares of and in the public government funds, and other government securities of this kingdom; to the great damage of all the said last-mentioned liege subjects of our said lord the King, to the evil example of all other persons in like cases offending, in contempt of our said lord the King and his laws, and against the peace of our said lord the King, his crown and dignity.

" And the Jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, unlawfully contriving and intending to injure and aggrieve divers of the liege subjects of our said lord the King, afterwards (to wit) on the said 19th day of February, in the 54th year aforesaid, with force and arms at the parish and ward aforesaid, in London aforesaid, unlawfully, knowingly, designedly, and fraudulently, did conspire, combine, confederate, and agree together, to write and cause to be written, a certain other false and counterfeit letter, containing therein divers false matters of, and concerning the allies of our said lord the King, and the said Napoleon Buonaparté and the French people, and to send, and to cause and procure the said last-mentioned letter to be sent to the aforesaid Thomas Foley, at Deal, in the said county of Kent, the said Thomas Foley then and there being the commander in chief of his Majesty's ships and vessels employed on the Downs station, with a wicked intention to impose upon and deceive the said Thomas Foley, and to induce and cause the said Thomas Foley to communicate the false matters contained in the said last-mentioned false and counterfeit letter to the said commissioners of our said lord the King, for executing the office of Lord High Admiral of Great Britain, and also with a wicked intention, that by the means in this count mentioned, the said false matters contained in the said last-mentioned false and counterfeit letter, should be promulgated, and publicly made known to the liege subjects of our said lord the King, and thereby to occasion a temporary rise and increase in the prices of the public government funds, and other government securities of this kingdom, and to injure and aggrieve all his Majesty's liege subjects who should contract for, and also all the subjects of our said lord the King, who should purchase any part and parts, share and shares, of and in the said public government funds, and other government securities, during such temporary rise and increase in the prices thereof; to the evil example of all other persons in like cases offending, in contempt of our said lord the King, and his laws, and against the peace of our said lord the King, his crown and dignity.

"And the Jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, unlawfully contriving and intending to injure and aggrieve divers of the liege subjects of our said lord the King, afterwards (to wit) on the said 19th day of February, in the 54th year aforesaid, with force and arms, at the parish and ward aforesaid, in London aforesaid, unlawfully, knowingly, designedly, and fraudulently, did conspire, combine, confederate, and agree together, to make and propagate, and to cause and procure to be made and propagated, unto and amongst divers of the liege subjects of our said lord the King, divers false reports and rumours of and concerning the said Napoleon Buonaparté and the French people, and thereby to occasion a temporary rise and increase in the prices of the public government funds, and other government securities of this kingdom, and to injure and aggrieve all his Majesty's liege subjects who should contract for, and also all the liege subjects of our said lord the King, who should purchase any part or parts, share or shares, of and in the said public government funds, and other government securities, during such last-mentioned temporary rise and increase in the prices thereof; to the evil example of all other persons in like cases offending, in contempt of our said lord the King, and his Laws, and against the peace of our said lord the King, his crown and dignity.

"And the jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, unlawfully contriving, and intending to injure and aggrieve divers of the liege subjects of our said lord the King, afterwards (to wit) on the said 19th day of February, in the 54th year aforesaid, with force and arms, at the parish and ward aforesaid, in London aforesaid, unlawfully, knowingly, designedly, and fraudulently did conspire, combine, confederate, and agree together, to make and propagate, and to cause and procure to be made and propagated, unto and amongst divers of the liege subjects of our said lord the King, a certain false report and rumour, that a peace would then soon be made, between our said lord the King and his subjects and the people of France, and thereby to occasion a temporary rise and increase in the prices of the public government funds, and other government securities of this kingdom, and to injure and aggrieve all his Majesty's liege subjects who should contract for, and also all the liege subjects of our said lord the King, who should purchase any part or parts, share or shares, of and in the said public government funds, and other government securities, during such last-mentioned temporary rise and increase in the prices thereof; to the evil example of all other persons in like cases offending, in contempt of our said lord the King and his laws, and against the peace of our said lord the King, his crown and dignity:

"And the jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random De Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, unlawfully contriving, and intending for their own lucre and gain, to injure and aggrieve divers of the liege subjects of our said lord the King, afterwards (to wit) on the said 19th day of February, in the 54th year aforesaid, with force and arms at the parish and ward aforesaid, in London aforesaid, unlawfully, knowingly, designedly, and fraudulently did conspire, combine, confederate and agree together, by divers false and subtle arts, devices, contrivances, representations, reports, and rumours, to occasion without just and true cause, a rise and increase in the prices of the public government funds and other government securities of this kingdom, and thereby to injure and aggrieve all his Majesty's liege subjects who should contract for, and also all his Majesty's liege subjects who should purchase, any part or parts, and share or shares, of and in the said public government funds and other government securities, during such last-mentioned rise and increase in the prices thereof; to the evil example of all other persons in like cases offending, in contempt of our said lord the King and his laws, and against the peace of our said lord the King, his crown and dignity:

"And the jurors aforesaid, upon their oath aforesaid, do further present, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, unlawfully contriving and intending to injure and aggrieve divers of the liege subjects of our said lord the King, afterwards (to wit) on the said 19th day of February, in the 54th year aforesaid, with force and arms at the parish and ward aforesaid in London aforesaid, unlawfully, knowingly, designedly, and fraudulently did conspire, combine, confederate, and agree together, by divers false and subtle arts, devices, contrivances, representations, reports, and occurrences, to induce, cause, and occasion divers and very many of the liege subjects of our said lord the King, to suppose and believe, without true and just cause, that a peace would then be soon made, between our said lord the King and his subjects, and the people of France; to the great and manifest injury and damage of divers and very many of the liege subjects of our said lord the King, to the evil example of all other persons in like cases offending, and against the peace of our said lord the King, his crown and dignity:

"Which said indictment our said lord the King afterwards, for certain reasons, caused to be brought before him to be determined according to the law and custom of England; wherefore the sheriffs of the said city of London are commanded, that they cause them to come to answer to our said lord the King, touching and concerning the premises aforesaid: and now (that is to say) on Wednesday next, after 15 days from the feast of Easter in this same term, before our said lord the King at Westminster, come the said Charles Random de Berenger and Alexander M'Rae in their proper persons, and the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, by William Belt, their clerk in court; and having heard the said indictment read, they severally say that they are not guilty thereof, and hereupon they severally put themselves upon the country: and Edmund Henry Lushington, esq., coroner and attorney of our said lord the King, in the court of our said lord the King, before the King himself, who for our said lord the king in this behalf prosecuteth, doth the like; therefore let a jury thereupon come before our said lord the King, on the morrow of the Ascension of our Lord, wheresoever he shall then be in England, by whom the truth of the matter may be better known, and who are not of the kindred of the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, or of any or either of them, to try upon their oath whether the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte are, or any, or either of them be guilty of the premises aforesaid, or not; because, as well the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, have thereupon severally put themselves upon the said jury, the same day is given as well to the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as to the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte; at which time (to wit) on the morrow of the Ascension of our Lord aforesaid, before our said lord the King at Westminster, come as well the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as the said Charles Random de Berenger and Alexander M'Rae, in their proper persons, and the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, by their clerk in court aforesaid: and the sheriffs of the said city of London have returned the names of twelve jurors, none of whom come to try in form aforesaid; therefore the sheriffs of the said city of London are commanded that they distrain the bodies of the jurors aforesaid, by all their lands and chattels in their bailiwick, so that neither they, nor any one for them, do put their hands to the same until they shall have another command from our said lord the King for that purpose, and that they answer to our said lord the King for the issues thereof, so that they may have their bodies before our said lord the King, on the octave of the Holy Trinity, wheresoever he shall then be in England, or before the right, trusty, and well-beloved of our said lord the King, Edward lord Ellenborough, chief justice of our said lord the King, assigned to hold pleas before the King himself, or other justice assigned as aforesaid if he shall come before that time (that is to say) on Wednesday next after the end of the term, at the Guildhall of, and within the city of London, according to the form of the statute in such case made and provided, to try upon their oath whether the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, are, or any, or either of them be guilty of the premises aforesaid, or not: in default of the jurors aforesaid, who came not to try in form aforesaid, therefore let the sheriffs of the said city of London have the bodies of the jurors aforesaid accordingly, to try in form aforesaid, the same day is given as well to the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as to the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte; at which time (to wit) on the octave of the holy trinity aforesaid, before our said lord the King at Westminster, come as well the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as the said Charles Random de Berenger in his proper person, and the said sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, by their clerk in court aforesaid, and the aforesaid chief justice, before whom the said jurors came to try in form aforesaid, sent here his record, had before him in these words (that is to say) afterwards on the day, and at the place last within-mentioned, before the within-named Edward lord Ellenborough, chief justice of our lord the King, assigned to hold pleas before the King himself, the honourable Edward Law being associated to the said chief justice according to the form of the statute in such case made and provided, come as well the within-named Edmund Henry Lushington, esq., who for our said lord the King in this behalf prosecuteth, as the within-named Charles Random de Berenger and Alexander M'Rae in their proper persons, and sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, by their clerk in court within mentioned; and the jurors of the jury within mentioned being called (to wit) Thomas Brown of Church-row Aldgate, Henry Septimus Woollaston of Devonshire-street, George Spedding of Upper Thames-street, George Miles of Gracechurch-street, John Parker of Broad-street, Lewis Loyd of Lothbury, John Peter Robinson of Austin Friars, John Hodgson of New Broad-street, Thomas Wilson Hethrington of Nicholas-lane, Richard Hall of Lawrence-lane, Richard Cheesewright of King-street, and John Green of Suffolk-lane, in the city of London, merchants, come and are sworn upon the said jury; whereupon public proclamation is made here in court for our said lord the King as the custom is, that if there be any one who will inform the aforesaid chief justice, the King's serjeant at law, the King's attorney general, or the jurors of the jury aforesaid, concerning the matters within contained, he should come forth and should be heard; and hereupon John Gurney esq. a counsel learned in the law, offereth himself on the behalf of our said lord the King to do this; whereupon the court here proceedeth to the taking of the inquest aforesaid, by the jurors aforesaid, now here appearing for the purpose aforesaid; who being chosen, tried, and sworn to speak the truth touching and concerning the matters within contained, say, upon their oath, that the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, are not, nor is any of them guilty of the premises charged upon them, in and by the first and second counts of the within written indictment, in manner and form as the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, have, by pleading for themselves, within alleged; and the jurors aforesaid, upon their oath aforesaid, further say, That the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, are, and each of them is, guilty of the premises charged upon them in and by the residue of the said indictment, in manner and form as in, and by the said residue of the said indictment is within alleged against them: whereupon all and singular the premises being seen and fully understood by the court of our said lord the King now here, it is considered and adjudged by the said court here, that they, the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, be taken, and so forth: and hereupon by the writ of our said lord the King, the sheriffs of London are commanded that they take the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, Alexander M'Rae, John Peter Holloway, and Henry Lyte, if they shall be found in their bailiwick, and them safely keep, so that they may have their bodies before our said lord the King at Westminster, on Monday next, after fifteen days of the Holy Trinity, to satisfy our said lord the King for their redemption, by reason of the trespasses, contempts, and misdemeanors whereof they are indicted and convicted as aforesaid; the same day is given as well to the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as to the said Charles Random de Berenger, sir Thomas Cochrane, Andrew Cochrane Johnstone, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte: on which day, to wit, on Monday next, after fifteen days of the Holy Trinity aforesaid, before our said lord the King at Westminster, come as well as the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, in their proper persons, the said Charles Random de Berenger, in the custody of the sheriff of Middlesex, and keeper of the gaol of Newgate, to whose custody he, the said Charles Random de Berenger, had been before that time committed, the said Charles Random de Berenger being brought here into court by virtue of the writ of our said lord the King of Habeas Corpus ad Subjiciendum, and the said Charles Random de Berenger, is committed by the court here to the custody of the said sheriff and keeper of the said gaol of Newgate, to be kept in safe custody until, &c. And the said sir Thomas Cochrane, Richard Gathorne Butt, John Peter Holloway, and Henry Lyte, are committed by the court here to the custody of the marshal of the Marshalsea of our lord the King before the King, himself, to be by him kept in safe custody until, &c. But because the court of our said lord the King now here, is not as yet advised about giving their judgment of, and upon the premises whereof they, the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway and Henry

Lyte, are convicted as aforesaid, day is therefore given as well to the said Edmund Henry Lushington, who prosecuteth for our said lord the King in this behalf, as to the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway and Henry Lyte, until Tuesday next, after fifteen days of the Holy Trinity, before our said lord the King at Westminster; the said Charles Random de Berenger to be kept in safe custody, under the custody of the said sheriff of Middlesex, and keeper of the said gaol of Newgate, and the said sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway and Henry Lyte, in the custody of the said marshal in the mean time, because the said court of our said lord the King, now here, is not as yet advised thereupon: on which said Tuesday next, after fifteen days of the Holy Trinity aforesaid, before our said lord the King at Westminster, come as well the said Edmund Henry Lushington, who for our said lord the King in this behalf prosecuteth, as the said Charles Random de Berenger in the custody of the said sheriff of Middldsex and keeper of the said gaol of Newgate, and the said sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, in the custody of the marshal of the Marshalsea aforesaid, they, the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, being brought here into court by virtue of a rule of the said court in that behalf; whereupon, all and singular the premises being seen and fully understood by the court of our said lord the now King, now here, it is considered and adjudged by the said court here, that for their offences aforesaid, whereof they are convicted as aforesaid, the said sir Thomas Cochrane, and Richard Gathorne Butt, do severally pay a fine to our sovereign lord the King of 1,000*l.* each, of lawful money of Great Britain; that the said John Peter Holloway, do pay a fine to our said lord the King of 500*l.* of like lawful money; that the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, be imprisoned in the custody of the marshal of the Marshalsea aforesaid, for the term of twelve calendar months, now next ensuing; and that within that time the said Charles Random de Berenger, sir Thomas Cochrane, and Richard Gathorne Butt, be severally set in, and upon, the Pillory, opposite to the Royal Exchange, in the city of London, for the space of one hour between the hours of twelve at noon, and two of the clock in the afternoon; and the said Charles Random de Berenger, sir Thomas Cochrane, Richard Gathorne Butt, Ralph Sandom, John Peter Holloway, and Henry Lyte, present here in court, are by the court here committed to the custody of the said marshal, to be by him severally kept in safe custody in execution of this judgment; and the said sir Thomas Cochrane, Richard Gathorne Butt, and John Peter Holloway, until they shall have paid their said fines respectively."

Mr. *Broadhead* then moved, "That the said Record be taken into consideration on this day se'nnight; that the right hon. lord Cochrane do attend this House in his place upon this day se'nnight; that the Marshal of the King's-bench prison do bring the said lord Cochrane in custody to this House upon this day se'nnight, if the said lord Cochrane shall desire to be so brought up; and that Mr. Speaker do issue his warrants to the said Marshal, and to the Serjeant at Arms attending this House accordingly."

These motions were agreed to. A copy of the said order was ordered to be sent to lord Cochrane; and the hon. Andrew Cochrane Johnstone was ordered to attend in his place on the same day.

MOTION FOR PAPERS RESPECTING LORD COCHRANE.] Mr. *Holmes* said, that it had been his intention to move that a copy of the evidence taken upon the trial of lord Cochrane should be laid before the House; but on consulting his Majesty's Attorney and Solicitor-Generals as to the propriety of such a motion, he had been by them informed that such a motion would not be regular. He had communicated this to lord Cochrane. But on this day he had received a letter from his lordship, pressing him to submit such a motion to the House at all events. He therefore moved, "That there should be laid before this House a copy of the Report of the late trial upon an indictment in the court of King's-bench against the lord Cochrane: together with his statement, or any affidavit of his filed, in the Court of King's Bench."

Mr. *A. Browne* seconded the motion, and said that it appeared to him that the fit, and indeed the only course to be taken was to move that the whole of the Papers be printed, and when printed, then to name a day for the discussion, which would afford to members an opportunity of attentively looking over the evidence, to enable them to come to that conclusion upon the ultimate question to be proposed to them, which would be satisfactory to their own minds, and consistent with the justice of the case. Without this opportunity were afforded, the House, in the exercise of its judicial and inquisitorial functions, would be pronouncing a judgment highly important to the individuals concerned, and highly important to the House itself, upon the fact of the conviction of the courts below; thus making that conviction not merely the foundation of proceedings in that House, but conclusive and mandatory upon its judgment and decision. In all cases it was highly expedient that the evidence upon which the judgment of the court below had proceeded, should be in possession of the individual members of that House; if in any case that had been dispensed with, it had been in a case where the judgment of the court below had been acknowledged and submitted by the parties, without any attempt to impeach its justice, or any effort to set it aside; but it was indispensibly necessary in a case like the present, where one of the parties inveighed against the justice of the decision, and used every means in his power to bring that judgment under the revision of the court, but was prevented by technical rules of the court, founded upon circumstances wholly out of the power of the individual to regulate and controul. This case affected two members of that House; the two standing under circumstances widely different; the one had fled the country, thus acknowledging his guilt, and putting himself without the pale of the law. With reference to him, no doubt could remain as to the course which the House would be bound to adopt; but with respect to the other, the House stood in a situation which required the utmost circumspection in its proceedings, the utmost firmness to resist the prejudice arising from the conviction below, and the utmost anxiety to investigate the proceedings of that decision. That individual, with a seeming consciousness of his own innocence, had used every means in his power to bring the case under the revision of the court, but had been prevented by a rule of practice, which required the personal attendance on the floor of the court of every individual affected by the judgment, which attendance it was quite impossible for him to effect.* Whether that rule was or was

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* On the 14th of June, lord Cochrane went down to the court of King's-bench, for the purpose of demanding a new trial. After the bar had been gone through,

Lord *Cochrane* addressed himself to their lordships. Scarcely recovered, as he was, from the shock he had experienced, on being informed that a jury of his country had found him guilty, along with others of a misdemeanour against the laws, he must claim the utmost indulgence of the court, while he humbly submitted to them reasons which, he trusted, would induce them to think that a review of that verdict ought to take place. This, he hoped, he should experience, the more particularly, on this account, because he was not habituated to matters of this kind, nor was he accustomed to the forms of proceeding in courts of law. He trusted, when he should have stated a few facts, with which it was essential to the ends of public justice their lordships should be acquainted, they would be of opinion that a revision of that verdict ought to take place, at least so far as he was concerned. It was his misfortune to suffer, in consequence of an intimacy subsisting between himself and men over whom, notwithstanding, he had no controul. He was told that he was, through no fault of his own, placed in such a situation, that it was not competent for his counsel to move for a new trial, so far as he was concerned, but that he must, however unfit for the task, take that burthen upon himself.

Lord *Ellenborough* observed, that then his lordship had been greatly misinformed. It was quite competent for his counsel to move, on his behalf, for a new trial, and perhaps, it would be more for the convenience of the court, and more advantageous for himself, that matters should take that, their natural and regular course.

Lord *Cochrane* had been told, that if all the persons who had been found guilty were not present in court, that he, though he, as he now did, presented himself, could not be entitled, by his counsel, to move for a new trial, so far as he was concerned.

Lord *Ellenborough* informed his lordship that the rule of court was equally applicable to a motion for a new trial made by not wisely founded, it was not material to consider; it was sufficient to observe, that it had prevented, in a case highly penal, involving consequences deeply affecting the honour and character of the noble lord, that opportunity of a re-hearing, which, without the intervention of such a rule, was universally allowed in cases comparatively of no consequence—in cases of property. That individual, undismayed by a sentence, unequalled in point of severity, a sentence against which one universal voice was raised in the country, which was deeply regretted (as he was well informed) by every individual member of the Stock Exchange, had written a letter to the Speaker, protesting his innocence, and imploring the House not to proceed without giving him an opportunity of being heard, and of rescuing himself from the effect of a judgment which he contended had been erroneously and improperly pronounced. The House therefore was called upon by a sense of that which was due to the individual, from a sense of that which was due to itself, to investigate the evidence upon which the judgment of the court below was founded, and ultimately to pronounce its decision, not upon that judgment, but upon such a conclusion as might arise from the facts, and circumstances, and evidence of the case itself. It might be said, that this would be in effect to involve the House in a trial of the guilt of the individual; but there was no argument arising from this inconvenience; there was no argument arising from the inconvenience of having an indi-

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the party himself, as to a motion made on his behalf by his counsel.

Lord *Cochrane* said, it was with the view of preventing any counsel from trespassing upon their lordships' rules, or those of the court, that he presumed now to intrude, for a short time, on their lordships' attention.

Lord *Ellenborough* assured his lordship, that they could not hear him; nor, if they did, could they advert to, or act upon any thing that might fall from him, nor upon any evidence to which he might refer.

Lord *Cochraue* had to complain, that on the trial evidence of great importance to the proving his innocence had not been brought forward. If their lordships would allow him to read to them the evidence to which he alluded, they would be better able to judge.

Lord *Ellenborough.*—It cannot be, consistently with the established forms of the court.

Lord *Cochrane* said, he should be extremely brief: he held in his hand affidavits—

Lord *Ellenborough* assured his lordship that it gave the court pain to interrupt him, but they could not, consistently with the solemn and established rule of the court, suffer him to proceed.

Lord *Cochrane* trusted, that in deviating from their rule, in such a case as the present, their lordships would do an act more redounding to their own honour, and more calculated to promote the ends of justice, than by inflexibly acting up to it. What could there be inconsistent with justice, in suffering him, who, though he had no counsel, was ready to assert and prove his own innocence, from doing so, merely because those who were guilty were not present, and dared not shew their faces?

Lord *Ellenborough* said, if they were to yield this rule, which had been solemnly decided, and since uniformly acted upon, to one, they must do so to all. In this court they could make no distinction of persons.

Lord *Cochrane* begged only to state—

Lord *Ellenborough.*—It would be idle in the court to announce to your lordship that there is such a rule as I have mentioned, if we did not intend to act upon it. We did act upon this rule this very day, in the case of an obscure individual, and are we now to act differently in your lordship's case? That would, indeed be to furnish evil-minded persons with a handle for saying, that we have one rule of law for the poor, and another for the rich.

Lord *Cochrane* said, he had been so conscious of his own innocence, that he had never thought it necessary to instruct counsel, as several gentlemen in court knew, nor had he even read a brief on the subject, till after the trial, when he found that a very great error had crept into it, in respect to the evidence of his servants, as to the dress of the person who called at his lordship's house in his absence. They were represented as admitting that he was dressed in a red coat, whereas, all they had stated was, that he appeared to be a military officer, to which character they, as a matter of course, attached the idea of a red coat, though it might equally well have been green.

Here the matter dropped.

vidual a member of this House who stood under a sentence of pillory from a court below, that could reconcile it to the duty of that House to proceed to a sentence of expulsion from that House, if upon a dispassionate and careful review of the case itself, under all its circumstances, the House should think the conviction was erroneously pronounced, and the judgment of the court below erroneously founded. He hoped he had no deficient sense of that high honour which ought to fasten itself upon the conduct of a member of that House, that he should not be backward in visiting that case, if it should be found to be due to it, with an ultimate vote of expulsion; but he protested against being bound to come to such a conclusion from the mere effect of the judgment, without being satisfied that that judgment had been founded on justice. He had made these observations from a pure sense of what was due to the case under all its circumstances. He never had the slightest personal knowledge of the noble lord; he never was introduced to him; he never spoke to him; he never was in his company; he spoke without any other influence than that possibly which the severity of the sentence might have excited, but with no disposition to avoid that conclusion to which he might arrive upon a careful review of the case.

Mr. *Broadhead,* as he stood so committed on this occasion, trusted that he might be allowed to say a few words. He could assure the House that he did not entertain the slightest feeling or disposition to urge the business in which he had engaged in any way that should not completely correspond with the general sentiment. With respect to the hon. gentleman's motion, he would abstain from giving any opinion upon it. He certainly had had it in contemplation to submit to the House on Friday next, a motion founded solely on the document which had that evening been laid on the table, and he believed that in entertaining such an intention, he was justified by the usages of parliament. If, however, the hon. gentleman desired further information, for the purpose either of satisfying himself of the guilt of the individuals in question, or of inducing the House to think more favourably of those individuals, he had not the slightest wish to throw any impediment in the way of the success of his motion.

Mr. *Holmes* submitted the motion to the House, only in consequence of the earnest solicitation of lord Cochrane, in the letter which he had mentioned.

The *Attorney General* (Sir William Garrow) declared, that he rose on this occasion with very unpleasant sensations. If consistently with his duty he could do any thing to meliorate the situation of the noble lord in question, it would afford him a high gratification, but he apprehended that it would be impossible for him to accede to the present motion consistently with his respect for the due administration of the functions of parliament, which he could not consent should be used for purposes that, however they were considered, must embarrass their proceedings, foreign as they were to the legitimate objects which parliament ought always to keep in view. It was impossible for him to acquiesce in the motion consistently with his respect for that sacred institution —the trial by Jury. For what was it proposed to the House to do? To review a conviction by a Jury! To sit as a court of appeal—to sit as a court of error on the facts on which a jury had pronounced a verdict! If it were proper to do this, ought not the House in point of justice to go a step further?—to permit the prosecutor to appear at the bar and amend his case, and to permit the defendant to add new evidence to that which he had adduced in the court below? This, however, at once appeared so anomalous,—so inconvenient,—that the very mention of it seemed to alarm the hon. gentlemen.

On the general merits of the case itself, he would cautiously abstain from uttering a single syllable; for, compelled as he was to resist a proceeding by which it was supposed the situation of the individual in question would be ameliorated, he was particularly anxious at least not to make any observations which might be prejudicial to that situation. He was sure also that the House would not expect, from such an humble individual as himself, that he would conduct himself so indecorously and improperly, as to attempt to vindicate the judgment of a court formed according to the institutions of the country —a court, the members of which, he would venture to say, were as distinguished by learning as any that ever sat in Westminster-hall, and who were not more distinguished by their learning than by their strict and uniform attention to justice. He, therefore only laid in a claim, if the sentence of that Court had experienced the universal censure which the hon. gentleman opposite declared that it had, to have it considered as the result of deep and impartial deliberation on the part of persons of high and unimpeachable honour, who were in every way calculated to discharge, with advantage to the country, the important duties confided to them. Whether the circumstances of the rank and station of the individual in question, or the services which he had formerly rendered the country, might be deemed fit matter for representation in a quarter to which a proper appeal was never made without success, he would not say; but this he would say, that the House of Commons would depart from their constitutional functions, if they entered into a consideration, whether the punishment inflicted by one of the courts of Westminster-hall, was too great or too little in its amount. There was one most grievous error, on which an hon. gentleman opposite (Mr. Browne) had founded a great part of his argument. He had spoken of certain technical rules, which had prevented the party convicted from obtaining a revision of the verdict pronounced against him; and had stated that that party complained of the injustice of the verdict. Now, really, he (the Attorney General) had never, in the whole course of his practice, met with a single case of a person so convicted, who had paid the Court a compliment on his conviction, by abstaining from inveighing against it in similar terms. If the noble lord inveighed against his sentence, therefore, he was in a numerous class. But the hon. gentleman had maintained, that the individual in question had taken every possible means to obtain a re-hearing of his case, but in vain; because the practice of the Court was so fenced round by technical rules, that all his efforts were thereby rendered abortive. The direct contrary of all this was most unequivocally true. It became necessary for him to state what had actually been the course of proceeding; in order to shew that there had been no impediments obtruded, no technical rules, no fencing round, according to the allegations of the hon. gentleman. There was a rule of court which provided, that in the case of several persons convicted of a conspiracy, if any one of them came into court and desired a new trial, his request could not be granted until the other conspirators should come into the court also. The rule was founded on this wise principle; namely, that if several persons were convicted of a conspiracy, and one, probably the least implicated, were, on coming into court, to apply for and obtain a new trial, all the rest would be entitled to come in and take the same benefit; but in the event of his not obtaining a new trial, those other persons, though the most deeply involved in the crime, would have the best opportunity afforded them of eluding the punishment. This was the technical rule. It was with great pleasure, however, he stated, that no technical rule, however wisely formed, or however long it might have been acted on, was permitted in a British court of justice to work injustice towards any one. The Court would find a season for doing justice. It would make technical rules bend when they stood in the way of substantial right. What had been the course of proceeding in the recent instance? The grand jury had found a true bill against de Berenger and others for a conspiracy. The defendants could not have been compelled to take their trial until the sittings after term (ten or twelve days after the period at which he was addressing the House), but both parties, the prosecutors and the defendants, made an earnest application to the Lord Chief Justice to derange the ordinary forms by accelerating the trial. To the prosecutors his lordship said nothing—the wish of the defendants he would not listen to from their attornies or any ordinary agents; but required that their counsel should appear in court to make the application. This being done, the Lord Chief Justice in consequence (to the inconvenience of all other suitors in the court,) did appoint an early day for the trial. At the trial the defendants were defended by persons highly eminent for their talents and legal knowledge. They were tried by a special jury of the city of London, reduced by one of themselves, Mr. Cochrane Johnstone. By that Jury they were found guilty. On a subsequent day, within the period prescribed by law, the individual to whom the present conversation principally related, applied in the court of King's-bench for a new trial; commencing his application by stating, that he understood it could not be made by counsel. In this statement he was corrected by the Court. And he was also told, as other persons convicted of a conspiracy had been told the same morning, that the Court could not hear a motion for a new trial in the case of a conspiracy, when one alone of those who had been engaged in the conspiracy made the application. The Askews had that morning made an affidavit, that they could not bring into court the persons who had been convicted with them, and yet they were told, that unless they did so, their application could not be listened to. The noble lord was told the same. Let the House mark the sequel. The counsel for the defendants on a subsequent day moved for an arrest of judgment. At least the learned serjeant, who was counsel for Butt, and who did every thing that he undertook with the greatest ability, followed by several others of the highest talent, moved for an arrest of judgment for his client. If Butt had succeeded in this application —if judgment had been arrested with respect to him, it must have been arrested with respect to every one of those implicated with him in the same offence. The Court, however, were clearly of opinion, and delivered that opinion *seriatim*, that there was nothing in any of the points which had been urged that called for an arrest of judgment. What was the next proceeding? The noble lord did precisely that which the technical rules of the Court had prevented him from doing on the preceding day. He read from a paper, which was very ably written, and which evinced a profound knowledge of the law, a minute and scrupulous examination of the evidence which had been adduced at the trial, and he then offered to the court certain affidavits in support of his application. Did the Court intrench itself behind their technical rules, or say that it was too late to grant a new trial?

If persons convicted came up for judgment at the distance of six years from the trial, the Court would grant a new trial if they thought fit. But the Court had heard from the noble lord all that could possibly have been addressed in his favour. The paper which he read in Court was drawn up by no mean hand, and had evidently the finish of a master. As to the matter of affidavits, in a case like that in question, it was the constant rule of court to refuse them. But what were the affidavits offered by the noble lord?

Mr. *Horner* rose to order. If neither the report of the evidence, nor the affidavits were to be allowed to be laid before the House, it was not fitting that they should take an account of the contents of these affidavits, on the credit of any member, however high his character in the House.

The *Attorney General* was thankful for the interruption, but if the hon. and learned gentleman had listened to him, he would have found that in the way he would have spoken of the affidavits, he had no intention of injuring the cause of the noble lord.

Mr. *Horner* said, he had not interrupted the hon. and learned gentleman because he was afraid that he meant to prejudge the cause of the noble lord, but because he wished that nothing should be stated which might in any way prejudge the cause of either the prisoner or the crown.

The *Attorney General* merely wished to state, that no technical rules had stood in the way of the noble lord. He did not mean to state the contents of the affidavits, because he did not know them himself, but merely the grounds on which they were not received. One of the affidavits contained the evidence of a servant who was examined at the trial; but it never could be permitted that a witness should be allowed to amend, retract, or detract from the evidence given at a trial—a practice which would be pregnant with the most dangerous consequences. Another of the affidavits was that of persons in attendance in court, and capable of being called, but actually not called at the trial. Here he would appeal to the common sense of justice in the House if such an affidavit ought to be received? If such a practice were allowed, there would be an end to every thing like a trial. The prisoners had the advice and assistance of the most able counsel; if they did not instruct the counsel to call those persons, it was their own fault; and if the counsel thought it upon the whole more advantageous not to call the witnesses, then this was no reason now to send the prisoners to a new trial. The prisoners were not, in fact, shut out from an act of justice. The court had taken the propriety of a new trial into their consideration, and in their judgment there was no ground for it. What was the object of the present motion? It was to grant a new trial in that House, because the jury had not come to a proper verdict on the facts before them. But the consequences of this would not apply to members merely, but must open the doors of the House wide to all the inferior subjects of the realm. They would have to re-try also the Askews, and others in their situation. He should think that nothing was calculated to give a deeper wound to the insitution of juries, than for the House of Commons to take upon them to revise the testimony on which they came to their conclusions. With respect to the notes of lord Ellenborough, they could not produce the effect on the House which was done on the jury, by the sight of the witnesses, traversing the court with their eyes, and fixing on Berenger. The effect of the motion would be to place the House in the situation of a jury, without the sanction of an oath.

Mr. *Horner*, though he agreed with the hon. and learned gentleman in the conclusion which he had come to, differed with him so entirely, on the grounds of that conclusion, that he could not silently vote with him against the motion. With respect to the punishment, there was nothing which could induce him to express his opinion of the sentence, as long as it had any chance of being taken into consideration in that quarter where alone it could undergo modification. As to the rules of court, he had not the least doubt, that the court proceeded strictly and regularly in the present case, according to their established rules. If the rule was established, it was necessary to enforce it in that and all other cases. But with regard to the rule itself, the term, " supposed wisdom," made use of by the hon. and learned gentleman, in speaking of it, seemed to him no bad description of that rule. He could not discover in it the least reason or wisdom, and a thousand cases might occur where it would lead to hardship and oppression. He opposed the motion, because he had the most unshaken conviction of the regularity of the proceedings at the trial. The motion related to two species of papers, the report and the affidavits. The House might order the affidavits, and other papers tending to throw light on the question before them, to be laid before them; but as to the notes, he believed there was no precedent to warrant them in calling for that private document which was kept by the judges for the information of the jury, and of the Secretary of State, for the sake of the ulterior proceedings. It was not in the ordinary course of the proceedings of the House, therefore, to call for the report. Whether a case might not arise, when it might be proper to address the Prince Regent for the notes taken at a trial, was a question altogether different; but nothing in the present case was stated which rendered such a proceeding advisable. But while he stated this, he differed with the hon. and learned gentleman, as to what he had said with respect to the examination of evidence in this case, which he contended to be entering upon a new trial. The House were not doing any thing in the ordinary course of criminal jurisprudence, but exercising a species of jurisdiction peculiar to themselves; and there was no rule to prevent them from calling for evidence in a case where it might be proper for them to interfere. A case might be stated, in which the conduct of the jury and judges was such as to call for the interference of the House; but no such case as this was at present laid before them. In such a case, however, the House might properly call for all manner of evidence which they might deem necessary. The hon. and learned gentleman had contended that they would be obliged, on this principle, to try over again every person under a similar sentence with that of the noble lord; and among others he mentioned the Askews. But the House, it was proper to recollect, were here called on to expel one of their members; and the information they wished was merely for the sake of informing their own consciences with respect to the vote which they might come to on that subject. They had nothing to do with the courts of justice, except something was stated which called on them to act in their inquisitorial capacity. The question reduced itself to this, Whether, for the purpose of voting on the motion for the expulsion, it would be necessary for them to go over the evidence at the trial? In this case it did not seem necessary to him to call for more information than they had before them. He was fully satisfied with the verdict of the jury, and the judgment of the Court. But on the principles on which he had formerly voted for the expulsion of members of that House, he declared, that in doing so, he considered that he did nothing more than send back to his constituents the person excluded. He considered a member as a trustee for the people who sent him, and if in the course of the trust, any thing should occur, whether in consequence of the verdict of a jury or otherwise, which might call for a revision of that trust, it would be proper to expel him the House; and it was in that light, and no other, that he could give his support to such a measure. The verdict of a jury ought, in his opinion, to have credit given to it by the House, so far as to give the constituents an opportunity of saying whether they would any longer consider the member expelled as a fit person to be sent to parliament. On these grounds he should vote against the motion.

Mr. *Wynn* did not think that any reason was given to induce the House to depart from their practice in former instances of a similar nature. Had any thing been stated against the justice of the court, or had any unfairness on the part of the judge, from whatever cause, whether of a polical nature or otherwise, been alleged, he should feel it a case where the House might with propriety enquire into the proceedings of the court of law: but in this case no adequate grounds had been stated to induce the House to go into the enquiry.

The motion was then negatived.

THE DUKE OF WELLINGTON.] Mr. Wynn, adverting to the arrival of the duke of Wellington, wished to know from ministers whether they had in contemplation to propose any measure to the House, to enable them to pay suitable honour to that great and illustrious individual. He wished also to know, if, as had been usual at the conclusion of a war, it was in their contemplation to move the Thanks of the House to his Majesty's forces. As the consequence of peace would be a reduction of the forces, the Thanks ought to be given as early as possible.

The *Chancellor of the Exchequer* said, that such a vote as the one mentioned by the hon. gentleman in the latter part of his speech was intended shortly to be proposed.

Mr. *Wynn* said, in the case of the duke of Marlborough, it was thought fit to vote the Thanks of the House to him for his general conduct in the cause of the war, and to appoint a deputation to wait on him, for the purpose of congratulating him on his safe arrival in this country. He certainly thought that an early day should be fixed for the purpose to which he had alluded.

PETITION AGAINST THE SOCIETY OF ORANGE-MEN.] Sir *John Newport* said he held in his hands a Petition signed by a number of Protestants and Catholics of Ireland, friends to civil and religious liberty. At the conclusion of a peace abroad, it was necessary that peace should also be insured at home. One great means of contributing to this desired end, would be by putting an end to all associations throughout Ireland, in commemoration of victories long past. At the end of 120 years the victor ought not to be allowed any longer to triumph over the vanquished. He would appeal to the feelings of the House if the battle of Culloden had been annually celebrated in Edinburgh, whether tranquillity would have been established in Scotland. He felt confident that no improper motive would be attributed to him on the present occasion, as he himself gloried in being descended from one of those officers of king William's Dutch guards, who contributed largely to that victory, against the celebration of which he was now contending. Nothing more contributed to the distracted state of Ireland than such commemoration, which was considered by one party in the light of an insult and degradation; and it was fruitless to suppose that if due means were not used to put an end to them, the peace of Ireland would ever be restored. As the government had resolved to put down every improper assembly which had a tendency to disturb the public peace, he called upon them for the enforcement of the existing laws, particularly that of 1810, to put down all secret associations, and to prohibit all processions decorated with insignia on particular days, which were galling to one party in the country.

The Petition was ordered to lie on the table.

SPIRITS INTERCOURSE BILL.] The *Chancellor of the Exchequer*, previous to moving for a committee on this measure, intimated his wish that it might be suffered to pass, *pro formâ*, and that all discussion upon it might be avoided till members had an opportunity of examining it in detail. He should propose to consider it fully at an early period of next week.

Mr. *Finlay* observed, that he understood counsel was in attendance to address the House against the principle of this Bill. He suggested the expediency of deferring the attendance of this gentleman till a future stage of the Bill, when the objebts of the measure would be more fully understood.

Mr. *Western* thought it proper to declare, at this season, his decided and irreconcilable objection to the principle of this Bill. From the view which he had taken of it, he conceived it would go completely to give an advantage to the Irish distiller over the English distiller. The English distiller paid a duty of 9*s.* 4*d.* per gallon upon all spirits which he manufactured, independent of the duty on malt; and if he carried his spirits to the Irish market, he would not alone have to pay this duty, but the Irish duty also; whereas the Irish distiller, whose spirits had been warehoused for exportation, would only have to pay the English duty. Thus a decided, and in his opinion, a very unjust preference was given to the Irish distiller. In this feeling, he conceived it his duty to oppose the Bill, and take the sense of the House even on the present occasion.

Mr. *Fitzgerald* said, the hon. gentleman had totally mistaken the principle of the Bill, which, so far from being what he had described it to be, was founded upon over anxiety to place each country upon terms of reciprocity, and to raise the countervailing duty in one country, so as to render each upon an equal footing. He thought the best course at present, would be, to allow the Bill to proceed *pro formâ,* to have it printed, and circulated among those interested, and to appoint an early day for its discussion in a more enlarged view.

Mr. *W. Smith* strongly opposed the Bill, as contrary to every idea of reciprocity. The English distiller sending spirits to Ireland would be under this disadvantage, that he would be obliged, in the first instance, to pay the home duty in this country, and he was only to be repaid by a drawback, which he would not receive for eight or ten months.

Lord *Castlereagh* thought the hon. gentleman had chosen an unfit opportunity to oppose the Bill; and that it would be a breach of the faith of parliament to deny to Ireland the permission to export spirits. The Bill was only meant to apply to spirits in Ireland prospectively, and the English distiller was to have the fair protection of a drawback. This was justified by the Act of Union; and the opinion of Mr. Pitt had been correctly referred to on a former debate. Parliament was as competent to interfere with the Irish duties as with the English. The trade in spirits was intended to be free at the Union, and he hoped the House would give effect to the principle established at that time. That was a debt of duty to the whole united kingdom.

Mr. *W. Smith,* in explanation, disclaimed all intention to infringe on the Act of Union.

Mr. *Brand* conceived that the operation of the Bill before the House would be to give to the Irish distillers the monopoly of the English market, to the obvious prejudice of the English distillers, who, as a farther aggravation, were not to be made any allowance for the taxes which they had paid upon the quantity of spirits they had already distilled, upon the faith that the non-intercourse law would be farther continued. The amount of taxes so paid, we understood the hon. member to state at 400,000*l.* upon 700,000 gallons.

Mr. *B. Shaw* maintained, that the object and tendency of the Bill was to establish a complete reciprocity between England and Ireland, as the Union proposed. It was in fact its intention to correct an error by which the drawback upon spirits exported from all parts of Great Britain being the same, the Scotch distillers obtained through such drawback no less than *2s. 3d.* per gallon above the tax they actually paid, and thus had an undue advantage. That the Scotch distiller should be anxious to retain that advantage to the prejudice of the revenue and of the distiller of Ireland, might be natural; but he trusted that the justice of parliament would remove the error, and thus comply with the reasonable desires of the Irish distiller, who, he could assure the House, sought for nothing but the establishment of a fair reciprocity.

Sir *J. Newport* observed, that by the undue advantage derived from the drawback stated by the last speaker, the Scotch distiller was enabled not only to reduce the revenue, but to import his spirits into the Irish market, at a bounty injurious to the due interest of the Irish distiller.

Mr. *J. P. Grant* expressed himself decidedly hostile to the principle of the Bill. A right hon. baronet had stated, that the insertion of a single line in the Bill, which might be introduced in the committee, would completely remove the objections urged against it. The right hon. baronet had not, however, informed the House what that line was, and he was so dull of apprehension, that he could not discover it. He should be glad to know why a permanent measure had not been long since devised? In the year 1809, a report was made by the committee appointed to inquire into this subject, on which a measure satisfactory to all parties might have been founded. And now, because those whose duty it was to frame such a Bill, had neglected to do so, the House was called upon to accede to a measure, of the usefulness of which even those who proposed it were doubtful, and had, therefore, confined its operation to a limited time. He denied that this measure would deal equal justice to both countries. It would bear extremely hard on the English distiller, who had paid the duty on the spirit at present manufactured.

Mr. *Hawthorn* said, the report of the committee of 1809 was not acted on, because it contained principles at variance with the articles of the Union; and which, if carried into effect, would render useless those local advantages, possessed by Ireland, which gentlemen professed themselves so anxious to improve.

Mr *Grattan* supported the Bill, the operation of which would merely be, to carry the Act of Uuion more completely into effect. Parliament, he contended, had no right to alter that Act, every clause of which was binding on the country and on the legislature. It was similar to a covenant between two parties, one of whom was dead—and on every principle of justice and honour, the living party ought to adhere scrupulously to that engagement, which the other was not in existence to defend. Parliament could not break any article of that sacred covenant, without committing a breach of faith; and, if they committed an infraction of the commercial part, they violated the whole. If they selected any particular article (that, for instance, relative to the spirits intercourse) as a subject for revision, they would establish a precedent, which they might hereafter deplore; for though the parliament of Ireland did not exist, the people of Ireland were in being, and thousauds of petitioners might then come to the bar of that House, demanding a revision of other articles, which appeared to affect their interests. The Act of Union constituted the marriage articles between the two countries, and none of its provisions could be broken without annulling the contract. The right hon. the Chancellor of the Exchequer had, on a former occasion, observed, that there might be some articles in the Act of Union, of so ambiguous or unintelligible a nature, as to call for explanation; but he denied that the article to which the Bill referred was one of that description. It was in vain to say, that the clause respecting the intercourse of spirits with Scotland had been new-modelled. Why should it be inferred, because parliament altered the law as it respected Scotland, that therefore they should repeal it, as it respected Ireland? If the parliament of England set up a court of equity in its own cause, and dealt out what it was pleased to denominate justice, but which was, in reality, no more than what its discretion prompted, nothing could be imagined more unfair or more impolitic, nothing could be conceived more calculated to destroy the confidence which ought to subsist between the two countries.

Mr. *Marryatt* observed, that if the intercourse in spirits between the two countries were permitted, without previous measures being resorted to, which were stated in the report of the committee of 1809, it would be productive of very many evils.

Mr. *Mellish* entered into a short statement to prove, that, from the manner in which the bonding of spirits in Ireland was conducted, the Irish distiller derived a very considerable drawback.

Mr. *W. Fitzgerald* denied that the observation of the hon. gentleman applied to any spirits intended for exportation.

Mr. *Finlay* objected to the principle of the Bill, which could not be ameliorated by any amendments it might receive in the committee; he should therefore take the sense of the House upon it, in its present stage. If he succeeded in the amendment he was about to propose, the right hon. the Chancellor of the Exchequer would have an opportunity of introducing a qualified measure before the termination of the session. The hon. gentleman then, instead of moving, "That the Speaker do now leave the chair," moved "That the Speaker do leave the chair this day three months!" This singular amendment occasioned long continued bursts of laughter. When order was obtained,

The *Speaker* informed the hon. gentleman, that he would attain his end, by moving, "That all the words after the word "that" be omitted, for the purpose of inserting "this House will resolve itself into the said committee on this day three months."

Mr. *Finlay* moved an amendment as suggested.

The *Chancellor of the Exchequer* denied that the principle of the Bill was of the nature which had been stated. It was intended to open the intercourse of spirits between Great Britain and Ireland, on terms consistent with the articles of the union, and productive of injustice to neither country. With respect to the details, if they appeared likely to operate unfairly, they might be corrected in the committee. One of the great arguments used by those who objected to the Bill was, that it would inflict much injury on the

English distillers, who had large quantities of spirits on hand, the duty for which they had paid. He was not unaware of so glaring an objection to the Bill; but he recollected that a similar ground of opposition was taken against the bill of 1811, which, however, was agreed to, after the most mature deliberation. It would be, however, in the power of the committee, to remove the objection, by two modes: by withdrawing from the operation of the Bill, spirits at present distilled, which could be done by changing the words " shall have been" to " shall be distilled;" or by allowing to the English manufacturer a drawback on the stock of spirits on hand. The latter mode would produce the most perfect reciprocity, and was, perhaps, of the two, the least objectionable.

An explanatory conversation followed, of some length, in which Mr. Western, Mr. W. Smith, Mr. Brand, lord Castlereagh, Mr. J. P. Grant, sir G. Noel, and Mr. W. Fitzgerald, participated; after which the House divided, when the numbers were—For the Amendment 41; Against it 63;—Majority 22. The original motion was then agreed to. The Bill passed through a committee; and the report was received and ordered to be taken into further consideration on Tuesday.

ARMY ESTIMATES.] On the order of the day being read for the House going into a Committee of Supply,

Mr. *Bennet* asked if it was intended, at that late hour, to bring on the Army Estimates? He hoped they would not then be brought forward, as many members, not expecting them, had left the House.

Lord *Palmerston* said, it was generally understood they were to come on, and if, notwithstanding this, gentlemen had left the House, it was not to be expected that he would put them off on that account. When it was considered how much business called for the attention of the House next week, as there was yet time for a very considerable discussion to take place that night, and as another opportunity would offer for the discussion of any thing which they might not go into on that occasion, he could not consent to postpone them again.

Mr. *Ponsonby* thought it improper to bring them on at that late hour. It was true, much business would come before the House in the ensuing week, but as the public service would in no way suffer from the estimates being put off, he hoped they would be kept back till they could be brought forward earlier in the evening.

The *Chancellor of the Exchequer* admitted, no material inconvenience would result from the Army Estimates being put off with respect to the public service. But at the same time it must be felt, there was this inconvenience in these postponements—they protracted the sittings of the House at a time when it was difficult to procure a full attendance, as many of the members were quitting London. There was time for a considerable debate that night, and he could therefore see no impropriety in the noble lord's making his statement on the estimates. He did not know that this would necessarily cause a debate. As the country was still engaged in war, though considerable reductions would be made in the national establishments, it would be premature at the present moment to enter upon the discussion of the peace establishment.

Mr. *Fremantle*, as those topics would not come into discussion which were expected on this night to be taken into consideration, when the Army Estimates were brought forward, had no objection to hear the statement of the noble lord: but he hoped the House would not separate for the recess without knowing what the future peace establishment was likely to be.

The *Chancellor of the Exchequer*, in explanation, observed, he had only said, it would be premature to enter upon the discussion of the peace establishment at the present moment.

The House then resolved itself into the Committee.

Lord *Palmerston* assured the Committee, that, after what had been said, with respect to the lateness of the hour, he would compress what he had to offer to their consideration, into the smallest possible compass. There was no necessity for going into a detail of the various items composing the estimates; he should therefore confine himself to a brief notice of the different heads, pointing out such variations as occurred in each, and leaving, to a future period, those explanations which might be demanded of him. On a general view of the present estimates it would be seen, comparing them with those of last year, that there was an increase of 7,600 men, and of 110,000*l.* This increase arose from the establishment of new corps, and from the augmented rates of pay granted, in the last year, to non-commissioned officers.

Much importance was necessarily attached to this branch of our military force, both in the field and in garrison. To know how they had discharged their duty, it was only necessary to look to the many great achievments which had crowned our arms in the Peninsula. In consequence of a strong representation from the duke of Wellington, who conceived that they were not sufficiently distinguished from the common soldier, it was determined to make an alteration in their pay. To grant a general increase of pay would have been, at the same time, a very great expence to the public, and would have rendered abortive the object which was principally aimed at, that of giving to commanding officers an opportunity of rewarding meritorious individuals; it was therefore, determined to increase the pay of the serjeant-major to 3*s.* per day, and to introduce another discription of officer between him and the ordinary serjeant, under the denomination of colour serjeant, who should wear an honorary badge, and whose pay should be 2*s.* 4*d.* per day. The annual expence incurred by this regulation, in the present state of the army, was 20,000*l.* a trifling sum when compared with the greatness of the object. Another additional charge arose from the cavalry staff. This body was different from the infantry staff—it was composed of tried and steady soldiers, selected for the purpose of attending to the discipline of the cavalry, when employed in active operations; they were paid more liberally than ordinary men. In our early exertions in the Peninsula, the want of such a corps was very much felt, and under the recommendation of the duke of Wellington, it was formed. It consisted of 316 men, and the annual charge was 16,000*l.* But this corps would no longer be continued, as the individuals who composed it would either return to their respective regiments, or be discharged. There was another corps, denominated the York Chasseurs, composed of men who had deserted, which also formed an item of the additional expence. For a considerable time past, every exertion was made to discourage the system of corporal punishment in the army; and, with that view, it was thought proper to send deserters to the *depôt* at the Isle of Wight, to be from thence sent upon colonial or other service, as the commander in chief pleased. The number of deserters continuing to accumulate at the *depôt*, it was deemed advisable to form them into a corps. It consisted of 673 men, and would not suffer any reduction, in consequence of the peace. They were, he understood, a very effective body of men, and were intended for colonial service.—With respect to the regiments for the East Indies, there was scarcely any alteration. On the staff there was an increase of 56,000*l.* This arose on the foreign staff. On the home staff there was a diminution of 2,000*l.* occasioned by a reduction that had taken place in the Manchester district. He had not made any estimate of the expence of the staff under lord Lynedock, the accounts having been made up before that expedition was planted. On this head, however, he did not mean to move for any thing additional, because the saving on the staff of the army under the duke of Wellington would fully cover that expence. There was an increase under the head of supernumerary officers, receiving full pay, of 25,000*l.* A diminution of 16,000*l.* would take place, on account of paymasters-general, acting abroad, as the circumstances of the time rendered them no longer necessary. On the half-pay and allowances, an additional vote would be necessary. This partly arose from the increased number of persons who would now retire on half-pay, and partly from the adoption of a measure, to ameliorate the situation of military officers. The operation of the measure would be, to make a better provision for general officers, who did not command regiments; for the House must know, that there was no pay attached to a general officer, circumstanced as he had described, because all right to pay went by regimental commission; and by a late return it appeared, that, previous to the last *brevet*, there were 29 general officers receiving the half-pay of major, and 66 receiving the half-pay of captain. When an officer, holding a commission in a regiment, was raised to the rank of general, his attendance with that regiment was dispensed with; because, from his rank in the regiment, he ought to obey his superior officer, although, by the rules of the army, he, being a general, would have a right to command the colonel or lieut.-colonel of that regiment, in which perhaps he only held the commission of major. To prevent this, he was suffered to absent himself, and a supernumerary officer was appointed. But this did not deprive him of his commission, he still received the pay derived from his rank in that regiment, and, if it were reduced, he was entitled to half-pay;

and this was all he had to subsist on, unless he was placed on the staff. This situation of things was not consistent with the liberality of the country. It existed in no other nation in the world. Every where else, the different gradations of rank in the army received suitable pay; and even in our own navy, a different system prevailed. There the flag officers had rates of pay apportioned to their rank. It was not, therefore, too much to ask that the same principle should be extended towards the military officer. The arrangement he intended to propose was, to place general officers of the army on the same footing as flag officers of the navy. A major-general to rate as a rear-admiral, when unemployed, and a lieutenant-general as a vice-admiral. But it was not proposed to give to a full general the same rate of pay as was received by a full admiral, but to confine him to what the lieutenant-general received. The reason of this was, that a general commanding a regiment possessed advantages which an admiral did not enjoy. When this pay was given to general officers, of course the supernumeraries in regiments would cease to exist. It would appear by the estimates, that this new plan would produce an expence of 83,000*l.* per annum. The entire charge under this head, part for the half-pay, and part for the general officers, would probably amount to 150 or 160,000*l.* per annum additional. But it was impossible to speak with certainty on matters that depended on a prospective reduction.—The next head was that of pensions. There was little alteration in the item for in-pensioners. On the out-pensioners there was an increase of 26,000*l.* There was a reduction of 163,000*l.* under the head of volunteers. Of this 101,000*l.* arose from not issuing money for clothing during the last year, to the Irish volunteers, and 62,000*l.* saved by the reduction of volunteer corps in England. His lordship here pronounced a very animated eulogium on this meritorious body of men—who had boldly come forward, to defend the country, when it was threatened with invasion. In the local militia a great reduction had taken place, and it would only be necessary to provide for the permanent staff of that force, and for those regiments that had been called out upon active service. In the foreign corps, there was a diminution of 1,100 men, and 29,000*l.* In the Military College, a diminution of 12,000*l.* In the Irish commissariat department, there was a reduction of 70,000*l.* occasioned by a fall in the price of forage, and from there being a smaller number of horses to be provided for in the present year than in the last. In the barrack department there was a decrease, in charge, of 38,000*l.* A vote of 12 millions had been taken on account of these estimates, but it was not his intention to move for the whole of the remaining sum. He proposed to deduct from the gross amount 2,362,000*l.* In the present state of the country, as his right hon. friend, the Chancellor of the Exchequer, had observed, it was impossible, in any deduction he might make from the vote originally proposed, to proceed on any *data*; which he could depend upon as perfectly accurate. His calculations, in such a state of things, must necessarily be founded on conjectural *data*. It was not possible to calculate with precision, when those calculations depended on the time when colonies would be ceded, when troops would return home, and a variety of other contingencies. Therefore, in deducting the sum he had mentioned, he begged it to be understood, that, if it was found necessary to keep up a greater establishment than he had reckoned upon, he should not feel himself precluded from proposing a larger vote; at the same time, he could assure the House, that it was not more the duty than it was the inclination of government, to reduce the military establishment of the country, as far as was consistent with its interests, with as much speed as possible. His lordship then recapitulated the different heads of reduction, to the amount of 2,362,000*l.*—amongst which were land forces 745,000*l.*; militia 761,000*l.*; staff 80,000*l.*; Irish volunteers 50,000*l.*; local militia, 421,000*l.*; foreign corps, 206,000*l.*; Irish commissariat, 80,000*l.*; Irish barracks, 50,000*l.* He then shortly stated the steps which had been taken to reduce the militia, the corps of drivers, the recruiting districts and the home staff, and concluded by moving, "That the sum of 1,546,000*l.* be granted to his Majesty for the service of the land forces."

Mr. *Ponsonby* agreed in the propriety of making the situation of our brave officers as comfortable as possible; when that object was in view, he would place no limit to the generosity of the country, except its actual ability. It was their interest, that they should be rewarded; and he thought there was no department of the government, or of the constitution, in which it was so essential that a disposition to remunerate the services of the army should appear, as in that House. He was ready to concur in the general outline of the arrangement which the noble lord had stated, for the amelioration of their circumstances; at the same time, he should like to examine the plan in detail, before he gave it his final approbation. He regretted very much that the noble lord had not stated, what might be expected as the peace establishment of this country. He did not look for a positive declaration on the subject, but he thought something like an estimate of what our peace establishment was to be, might have been given. They were left too much to their own conjectures on this point, when they were merely told that government had every disposition to reduce the military establishment as fast as possible, consistently with the national safety. In estimating our peace establishment, he thought they ought to look to the situation of the country before they armed against France, at the period of the Revolution. This was the true criterion; and government ought to show that every departure from it was called for by necessity; and the grouuds should be fully explained to parliament. He knew they were still at war with America: he was aware that the state of Europe was by no means settled, and would not be settled, till after the meeting of the Congress, in September; but still, he thought, government might have given the House some idea on a subject of such interest as the intended peace establishment. It was impossible to say how long peace might last, and therefore he considered it highly expedient that government should not let the smallest expence rest upon the people which could, by possibility, be dispensed with. He thought the proper model for ministers to take was, the state of the country before the war began, and, if this could not be reached, they ought to approach as near to it as possible.

After a few cursory observations from Mr. Bankes, Mr. Bennet, gen. Gascoigne, Mr. Abercromby, and sir Egerton Brydges,

Mr. *Calcraft* suggested the expediency of extending the half-pay of ensigns from 2*s.* 8*d.* to 3*s.*

Mr. *Fremantle* considered, from the late hour of the night, that it would be extremely proper to recommit the whole of this question on a future day, as it was impossible to enter at large into the multifarious statements which had been made, at that late hour of the night.

Lord *Palmerston* saw no reason for postponing the discussion to a future day; but observed, if objections were felt to any particular resolutions, that they might, if thought necessary, be recommitted.

The resolution was agreed to, and recommitted for Friday.

## HOUSE OF COMMONS.

*Monday, June 27.*

PUBLIC THANKSGIVING.] Lord *Castlereagh* communicated a Message from his royal highness the Prince Regent, informing the House that he had appointed Thursday, the 7th of July, for a Public Thanksgiving to Almighty God, for the restoration of peace to this country and to Europe; that it was his Royal Highness's intention to go to church on that day in the cathederal church of St. Paul's; and that he had made arrangements for providing the necessary accommodation for the members of that House. His lordship then moved an Address to his Royal Highness, thanking him for his gracious communication, to be presented by such members of the House as were of his Majesty's privy council; and also that a committee should be appointed to consider of the manner in which the House should proceed on the day in question.—Agreed to.

PETITIONS TO ABOLISH IMPRISONMENT FOR DEBT ON MESNE PROCESS.] Mr. *Bennet* presented a Petition from a poor woman named Booth, the widow of a man who had died in the King's-bench prison. Of the truth of the averments in this Petition he had no personal knowledge, but he thought it was one which stated a case of great hardship. The Petition stated, that the husband of the petitioner had been arrested while in a state of extreme ill health, for debt, and conveyed in a cart to a lock-up-house, and from thence to the King's-bench prison, on reaching which, he was placed on a bench, where he remained until the humanity of some of the prisoners conveyed him to a bed, in which, after a short time, he died. The coroner's jury, who sat on the body of the deceased, returned a verdict, "that he had died of a natural death, but that his death had been considerably accelerated by his imprisonment, and the treatment to which he had been exposed." The Petition concluded by praying, that some alteration might be made in that inhuman law, which sanctioned arrest by Mesne Process.

The Petition having been read, was ordered to be laid on the table. A Petition was likewise presented from a prisoner in the Fleet prison, named William Wright, complaining of the hardships to which he was exposed, and also praying an alteration in the law respecting arrests by Mesne Process. Mr. Peter Moore presented two petitions from prisoners in the King's-bench prison, to the like effect.

MR. PEEL'S BILL FOR THE BETTER EXECUTION OF THE LAWS IN IRELAND.] Mr. Peel presented a Bill "to provide for the better Execution of the Laws in Ireland by appointing superintending magistrates and additional constables in counties, in certain cases." On the question being put for its being read a first time,

Mr. *Carew* rose and said—I hope, Sir, I may be allowed to trespass on the attention of the House, when I feel myself called on to correct a statement of the right hon. the Secretary for Ireland, which coming from such an authority, would, if allowed to pass uncontradicted, impress the public with an idea that the county of Wexford was in such a state of disturbance, as to render the new Bill about to be enacted, necesssary. I do not, Sir, object to the Bill—on the contrary, I highly approve of it—and only lament the circumstances, in other counties, which render such an interference on the part of government necessary. But, Sir, I beg leave to state, in the most unequivocal terms, the tranquillity of the county I have the honour to represent (the county of Wexford.) There is no part of the empire where the laws are more implicitly obeyed—and for the accuracy of this statement, I will refer to the resolutions of the spring grand jury, of which I was foreman—I will appeal to the recorded charge of the judge to that jury—I appeal to the calendar of the county—and, finally, to the right hon. gentleman himself, whether there is any part of Ireland more notorious for the peace and industry of its inhabitants, where the police is internally better regulated, or where there is less obstruction to the acts either of government or individuals.

Sir *F. Flood* felt it his duty to add his testimony to that of his worthy colleague, as to the peace and tranquillity of the county of Wexford: as a convincing proof of the truth of which statement it was only necessary to observe, that, for the last eleven years, there had been but one execution in that county for murder, and that was in the case of a sweep from Lancashire, who had been found guilty of suffocating one of his boys in a chimney, by burning wet straw under him. With these facts before his eyes, he could not but condemn, in the most unequivocal manner, the assertion which had been made by the right hon. gentleman (Mr. Peel), on a former night, as to the riotous disposition of this part of Ireland. He was willing to admit that some acts of violence had been committed, but these, he begged most distinctly to state, had not arisen from political or seditious motives. One instance had occurred within his own knowledge, which certainly bore the complexion of outrage, and which deserved reprobation, although he did not think its existence gave sufficient cause for a general and indiscriminate attack upon the whole county. He alluded to the death of a man who had seduced a young woman, and who on being called on by her friends to make reparation by marriage, and having refused, was shot. That the county of Wexford, however, was more prone to criminality than the counties of England or Wales, he positively denied, and he believed he might, with great truth, add, that many offences committed in this country, were wholly unknown in Ireland, and more particularly in that part which he had the honour to represent.

Mr. *Peel* thought it necessary, lest it might be supposed from the imposing attitude which the hon. baronet had taken, that there was something like reason in the opposition which he seemed inclined to give to the Bill which had just been introduced, to make a few observations. He begged leave to refer back to the explanation which he had given on a former night to the remarks which the hon. baronet then made, and to which he had hoped he had given a full and satisfactory answer. On that occasion, he had disclaimed most fully any intention of imputing to the county of Wexford, in particular, a disposition to riot or disorder, or charging the magistrates of that county with a dereliction of duty. All he had said, and all he meant still to say, was, that at a meeting of the magistrates of the county of Wexford, on the 21st of March, resolutions had been come to, in which certain outrages, committed a short time previously in Rathduff and Knockmore, were lamented, and a determination taken to use every effort for the preservation of the peace of the county. The outrages alluded to, were detailed in a report which he would take the liberty of reading to the House. The right hon. gentleman then read the report to which he alluded, and which stated, that some persons, as yet unknown, had gone to the house of a man named Donoughue, at about three o'clock in the morning; and, rapping at his door, demanded admittance for a poor creature whom they stated to be very unwell, and who it was desired might be permitted to lie down. Donoughue, not choosing to be troubled with such a guest, at such an hour, refused to open his door; upon which these persons entreated that he would give them a lighted coal, for the purpose of lighting a pipe. Donoughue then got up, and, on opening the door, he was shot through the heart! This atrocious and treacherous proceeding it was which had been properly characterised by thirteen of the magistrates of the county in which it had occurred, as outrageous; and to this occurrence it was he referred, when he ventured to state, on a former night, that the county of Wexford was not in that peaceful and undisturbed state which had been pictured in such flattering terms by the hon. baronet.

Sir *F. Flood*, in explanation, said, he had a protest in his pocket, signed by some of the most respectable inhabitants of the county of Wexford, against the resolutions alluded to by the hon. gentleman.

Mr. *Peel* begged to know, by how many this protest had been signed?

Sir *F. Flood* answered, by five of the most respectable inhabitants of the county, some of whom were worth ten, others six, and others three thousand a year.

The Bill was then read a first, and ordered to be read a second time on Friday.

FLOGGING IN THE ARMY.] Mr. *Manners Sutton*, seeing an hon. gentleman in his place, who had put a question to him on a former night, respecting the punishment inflicted on one of the Warwickshire militia, wished to ask him whether the name of the man to whom he alluded was not Greensfield?

Mr. *Bennet* said, that upon looking over the paper from whence he had derived his information, he had not been able to ascertain the name of the man.

Mr. *M. Sutton* would perhaps be able to recall the case to his memory by another question, Did the hon. gentleman derive his information upon the subject from a Sunday newspaper?

Mr. *Bennet* answered in the affirmative.

Mr. *M. Sutton* then said, that since the hon. gentleman had called the attention of the House to this subject, he had taken every pains to enquire into the facts of the case to which allusion had been made. He had enquired at the office of the commander in chief, at the adjutant-general's office, and at the office of the secretary of state for the home department, imagining that some memorial might have been presented from the individual himself, complaining of the harshness with which he had been treated. He could find, however, no trace, from whence to obtain information. In consequence of this failure, he wrote to the colonel of the Warwickshire militia; but before he received an answer, he discovered a letter in a Sunday newspaper, signed "An Englishman," from which, he at once concluded, as had been now confirmed, the hon. member had obtained his knowledge upon the subject. The statement in this paper was, that one of the privates in the Warwickshire militia had been so severely punished, that he had died under the torture to which he was exposed, and to which he was sentenced for a comparatively trivial offence. The moment he saw this account, he was satisfied that it could not be true; for, from his own knowledge of the military regulations necessarily adopted where such punishments were inflicted, he knew that no such occurrence could by possibility have taken place. The anonymous writer, however, went on to state that he was attracted by a crowd of women and children, lamenting in woeful terms some event which had happened. He enquired the cause of their grief, and they stated that a man had just been flogged to death. This statement, said the "Englishman," was confirmed by a non-commissioned officer, to whom he afterwards addressed himself upon the subject—and who stated, that the individual had been flogged until he had fallen, and that he had left him lifeless on the ground. Upon asking the offence for which this severity had been exercised, he ascertained that the man had been regimental servant to the surgeon, and had stopped out longer than his master had conceived proper. Such was the account given in the Sunday paper to which he alluded. The exact state of the case, as he (Mr. Sutton) had since ascertained, however, was this:—It was true, that the man was regimental servant to the surgeon, and it was also true, that he had incurred the displeasure of his master, for stopping out longer than was proper; but it had been forgotten to be stated, that upon his master remonstrating with him on his misconduct, he was not only insolent, but carried that insolence to the utmost length; and had, in fact, done every thing but knocked his master down. Upon this, a complaint was made to the lieutenant colonel, who directed that the offender should be brought to a court-martial, which was accordingly done, and he was sentenced to receive 300 lashes, and of these only 100 was inflicted, the man having then dropped. It turned out, however, that the reason of his dropping was not the severity of the punishment, but the fact of his having stuffed his clothes so far into his mouth, under an idea, by that means, of being better able to bear the pain, that he was almost suffocated. When the clothes were withdrawn, he immediately got up and walked to the hospital, where he had remained, subject only to such inconvenience as might be expected to arise from the lashes he had received. This proceeding had been regularly reported to the general of the district, who gave it his full approbation in all its parts; and the more so, as the same man had previously been represented as having acted in a mutinous manner, but had been forgiven, in consequence of the near approach of that period, at which the regiment would be disbanded. Having given this explanation, which he trusted had proved satisfactory to the House, he begged to observe, that no man was more anxious than himself to give every information connected with those military matters which came under his cognizance. He could not but lament, therefore, that the hon. gentleman, before he brought this matter before the House and the public, had not first asked him the question in private, and thereby avoided hanging up the name of the lieutenant-colonel of the Warwickshire militia, for some days, as a man who had sanctioned a degree of cruelty, which, under any circumstances, would have been indefensible. He could not conclude without bearing his testimony to the general merits, active services, and exemplary discipline of the Warwickshire militia, which had frequently been held up both in this country and in Ireland, where it had been two years, as an example well worthy the attention of other parts of his Majesty's forces.

Lord *Brooke*, as colonel of the Warwickshire militia, felt it his duty to bear testimony to the exemplary and meritorious conduct of the officer whose humanity had been questioned by the anonymous writer alluded to by the hon. gentleman, and whose calumnies had found place only in the columns of a paper, the editor of which was now in prison for a libel. He could not help remarking, that he thought it unfair, upon such grounds, to bring such a subject before the House of Commons.

Mr. *Bennet* was as anxious for the vindication of the character of the lieutenant-colonel alluded to as the noble lord who had just sat down; and with a firm persuasion that his character would be fully exonerated from the charge which had been made against it, he had put the question, of which complaint had been made. It would be recollected, that the imputation had appeared in a public newspaper, and no public vindication had subsequently been published. His question had given an opportunity for such a vindication, and the conduct of the lieutenant-colonel, as it deserved to be, had been placed in an honourable light. It was impossible, however, not to feel anxious upon a subject which was naturally calculated to create feelings of indignation and horror—he meant the infliction of torture by corporeal punishment, of the severity of which, the fact mentioned by the right hon. gentleman, afforded an ample illustration: he alluded to the handkerchief which the unfortunate man, whose case had been stated, had stuffed into his mouth, to prevent his shrieks, and to deaden his pain. Such were the expedients resorted to on such occasions, and he could only lament that their necessity had not ceased to exist!

VOTE OF THANKS TO THE DUKE OF WELLINGTON, AND CONGRATULATION ON HIS RETURN.] Lord *Castlereagh* rose, for the purpose of giving notice, that he should, to-morrow, move a vote of Thanks and Congratulation to field-marshal the duke of Wellington—(Loud cheers)—for the victories which he had obtained, and on his arrival in this country.—(Hear, hear!) The House might, perhaps, upon this occasion, feel disposed to dispense with the ordinary form of giving notice—(Hear!

hear!) if so, he would move the Thanks to the noble duke then.—(Hear, hear.) The sense of the House having been thus decidedly expressed, the noble lord proceeded to address the House. He observed, that in calling their attention to all the glorious and eminent services of the noble duke, whose name had been so warmly cheered, and to the achievements which he had performed, he considered, if he attempted to enter into any minute details, he should only weaken that impression which he was satisfied the services of this great man had made on the minds of every individual throughout the kingdom. In truth, if we looked back to the events which had occurred within the last few years, they bore more the appearance of romance than of any thing which could have arisen from the ordinary transactions of human nature. The exploits of the duke of Wellington had been peculiar to himself, and such as the page of history had never presented. After a long series of eminent and laborious exertions, in which he had originally landed on a foreign shore, in the face of an enemy superior in every respect to himself, he had conducted the war to a glorious result; and they were now to celebrate that event without one single circumstance which threw a shade over the national glory of the country, or over the personal character of the individual who had accomplished it. (Loud cheers.) It was new in the military annals of the world, to find a general whose services had been so multifarious, and whose personal merit had been so great; and who, after conducting a war of extraordinary difficulty to a conclusion, had elicited not alone the gratitude of his own country, but the gratitude and admiration of the whole of Europe. It was not less extraordinary that he should have acquired the confidence of those nations on whose fields he fought, and induced them to select him as the instrument of their salvation, and to signalize him by the highest honours of which their country could boast; and to crown his exploits, that he should at length be received in the capital of that kingdom, against which his efforts had been so actively and victoriously directed, with acclamations of gratitude and applause, not inferior to those grateful acknowledgments to which he was so deservedly entitled from the capital of his own country, for which he had obtained so much. There was certainly only one occasion which was parallel to the present, and that was the case of the duke of Marlborough, and even in drawing comparisons between the services of these great men, it could not be forgotten, that from the nature of the warfare in which the latter was engaged, he was enabled to come home every year, in person to receive the thanks of his country, while, with the duke of Wellington, his services had been incessant; he had had no relaxation, and in winter as well as in summer, his exertions were alike vigorous, persevering, and advantageous. If any thing could be added to enhance the merits of the latter, it was the fact that he had received the thanks of parliament twelve times, whereas the duke of Marlborough had been thus distinguished only six times. The noble lord concluded by moving, "That the Thanks of this House be given to Field Marshal the Duke of Wellington, on his return from his command abroad, for his eminent and unremitting service to his Majesty and to the public; and that a committee of this House do wait upon his grace to communicate the same, and to offer to his grace the congratulations of this House on his arrival in this kingdom."

Mr. *Wynn* said he had suggested the propriety of a measure like the present on a former evening, and it was with the utmost pleasure that he now rose to second the motion. It was a proud circumstance for this country, that they had an opportunity again, after the lapse of a hundred years, to follow a precedent of so grand a monument of English gratitude. With respect to the parallel between the two great men, the duke of Wellington, like his predecessor, had had the great merit of unremitted success, and the singular merit of obtaining that success at the head of an army composed of different nations, all of whom were animated with the same object, and served with the same harmony. He wished to suggest to the noble lord whether it might not be possible to introduce in the vote of thanks, not only the military achievements, but that these achievements were performed by an army composed of different nations, who were all actuated by the same unanimity. What lord Bolingbroke had eloquently said of the duke of Marlborough, might also be said of the duke of Wellington. There was no battle he fought which he did not gain; no place he besieged, which he did not take; no negociation which he entered into, which he did not conclude.

The motion was agreed to *nem. con.*, and a committee was appointed to attend the duke of Wellington with the said Thanks.

Petition from London respecting the Slave Trade.] Mr. Wilberforce presented a Petition signed by 38,000 inhabitants of London, setting forth,

"That the petitioners have seen, with the deepest regret and disappointment, that in the recent treaty of peace with France no provision has been made for the immediate abolition of the African Slave Trade, a trade avowedly repugnant to every moral and religious principle, but that, on the contrary, the consequence will be its revival on a larger scale and to an indefinite extent; and that it appears to the petitioners, that this revival is attended with circumstances of peculiar aggravation; great and populous colonies, in which, during the last seven years, the importation of Slaves has been stricly prohibited, and has even been made highly penal, having been freely ceded to France, not only without any stipulation for the continuance of that prohibition, but with the declared purpose, on the part of that country, of commencing a new Slave Trade for their supply, and thus a system of robbery and murder, which had for many years been practically extinct, is now to be revived, at the very moment when France has been manifestly and singularly favoured by Divine Providence; and the restoration to that country of the blessings and enjoyments of peace is to be the signal for bringing all the evils and miseries of a continued warfare on the unoffending inhabitants of the African continent; and that the revival of the French Slave Trade, and the unconditional restoration to France of her African forts and factories, have excited the peculiar regret of the petitioners, by disappointing the hopes they had been led to indulge, of the improvement and civilization of that large district in which those possessions are situated, and in which, the Slave Trade having been nearly suppressed, the consequent introduction of cultivation and a legitimate commerce had begun to make some compensation to Africa for the miseries formerly inflicted; and that it appears to the petitioners that the fair and legitimate commerce with Africa, which, since the abolition of the Slave Trade by Great Britain, had materially increased, and was rapidly enlarging itself to an extent which promised important advantages to both countries, is exposed to immediate injury, and to eventual destruction, by the revival of that inhuman traffic which for so many ages retained that ill-fated coast in a state of barbarism and desolation; and that the petitioners cannot but lament that the recognition in the treaty of the radical injustice of the African Slave Trade should be followed by a provision for its revival; and, though that provision is accompanied by the declaration of an intention to abolish the Trade in Slaves after five years, yet they cannot conceal from themselves that various and extensive interests will be created, which, at the end of the specified term, will present new and alarming obstacles to the fulfilment of the declared intention; and, therefore, deeply impressed with the necessity of immediately adopting such measures in parliament as may be the best calculated to prevent all the before-mentioned evils, as well as the evasion or infraction of the abolition laws of Great Britain, by the clandestine importation of slaves from the French colonies into our own, or by the employment of British capital in this nefarious traffic, the petitioners humbly pray the House to take the premises into their serious consideration, and to adopt such measures thereupon as to the House in its wisdom may seem meet."

This Petition, together with twenty four on the same subject from various parts of the country, were ordered to lie on the table.

Motion for an Address respecting the Slave Trade.] Mr. *Wilberforce* rose. He said, that in none of the many occasions during the period of twenty-six years, in which he had made different motions on the subject of the Slave Trade, had he ever experienced the sensations he felt that night. After having succeeded in witnessing the success of the cause which he had so long advocated, and seeing, as he thought, the character of the Slave Trade fixed for ever, by law, as a crime after the commission of which no man durst again shew his face, any more than for any other great offence, he was now again compelled to witness the sanction of this nation given to this odious traffic in the late treaty with France, and to contemplate the probability of its renewal, with all its attendant horrors. Unhappily, at the moment, when receiving the greatest blessings which could fall to a nation from on high, the French nation had refused to join in the abolition of the

Slave Trade, and we had given up their colonies to them without securing that object. It was not for the purpose of calling for any expression of the sense of the House on the treaty that he now rose; they had not heard what the advocates of that measure had to say for it; they had not the papers before them by which it might be explained. All that they knew was this, that long ago the House saw reason to move an address, imploring his Majesty to use his endeavours with foreign powers, to induce them to join in the abolition of the Slave Trade. To this Address an answer was returned, that such endeavours would be used; but now it would seem that they had been used unsuccessfully. In speaking of the negociation, he wished to confine the effect of his observations to the clause affecting the cause of which he had been so long the unworthy advocate. He wished to strengthen the hands of his Majesty's ministers, and to shew them that the feeling throughout the country was the same now that it had long been with respect to the abolition of the African Slave Trade. The more this country had an opportunity of showing what its feelings were, the more it would appear that there was but one universal sentiment throughout the country on the subject. At the present moment, after the conclusion of so long a war, and when we first began to witness peace, when the intoxication of our joy was the greater by our having among us our great allies whose conduct in so eminent a manner contributed to the happy termination of hostilities; at a period like this, when we could not be supposed to have so much time and disposition to attend to the sufferings of others, so far as his observations had extended, there prevailed but one feeling of regret and disappointment throughout the country, and a wish that, if it was still practicable at the approaching congress, an effort might be made to save it from the disgrace of this sad article. Whatever was consistent with the sum and substance of the treaty might be yet obtained. As there was a considerable portion of Africa where the exertions of this country had been successful to a considerable degree, and where a legitimate commerce had been introduced sacred from any of the miseries of the Slave Trade, he thought that a compact might be made by no means inconsistent with the article of the treaty, exempting all that part of Africa which was not suffering at present any of the calamities alluded to, from being again plunged into them by the renewal of the trade.

Another part of the motion he intended to submit to the House was, to request his royal highness the Prince Regent in any other treaty to be concluded between this country and other states, or in any other cession of colonies, to secure the abolition of the Slave Trade, at least by the sanction of an article in the treaty that it should not be carried on by the power to whom the cession is made. It was with pleasure that he had to communicate to the House that he understood Holland had agreed to an immediate and unconditional abolition of the Slave Trade. With regard to Sweden, the conduct of that power was not now of such importance as it would have been had it retained the great island of Guadaloupe; but Sweden had still some small possessions in the West Indies, and the accession of every power to the abolition was an object not to be neglected. Denmark had already abolished the trade: but that which before rested on her own declarations was now secured to us by a solemn treaty.

When he had just before said, that it was with a heavy heart and a feeling of the deepest concern that he rose for the fulfilment of his duty on this occasion, it was chiefly because, before he knew that he only had to establish the facts and lay down the principles applicable to this Trade, and that when he had done so he would obtain his final object; but now he could not but with pain reflect, that he was opposed not by any arguments or facts arising out of the Trade itself, but by a circumstance arising out of the nature of our constitution: for when a definitive treaty of peace was once sanctioned, there was no course left for the country but acquiescence. He could not, therefore, but regret, that we had not on this occasion had an opportunity, as we had had at former periods, of first considering the articles in a preliminary treaty, reserving the details for consideration and arrangement afterwards. He regretted that the House had not had an opportunity of forming their judgment in the first instance on the preliminary articles; because, had such been the case, he should have felt it to be his duty, and the country from one end to the other would have joined with him, to interfere that this article might not receive the sanction of government, and to say that no sacrifice would be refused which could purchase our freedom from this disgrace, and that there was no price which we would not have been willing to pay. Had this country had an opportunity of expressing their feelings, no effort which the government could possibly make would have been found too great if it freed us from this stain. But we had now the article irrevocably before us; and all that we could now do was to try to get the article altered in the approaching congress. The wretchedness and misery which were proved to belong to this Trade were now universally allowed. It was truly said by a right hon. friend of his, now no more, that the Slave Trade was the greatest practical evil which ever existed; but the amount of the evil could not be estimated by the number of individuals carried into perpetual bondage, to the hundred thousand persons and upwards carried into a slavery for them and their posterity for ever; the greatest evil was the way in which these individuals were obtained, diffused misery throughout the great continent from which they were taken, and which was thus kept in a state of irreclaimable barbarism and devastation.

He expressed his regret that information upon this subject had not been more generally diffused through France, which would doubtless have excited a feeling among her inhabitants that would have made the government of that country ashamed of insisting upon the insertion of the objectionable article. The great evil originated with ourselves, and was to be attributed to the delays which intervened between the period when the question was first introduced into parliament and the final accomplishment of the abolition. The real causes for this dilatoriness France had never contemplated: in justice to ourselves it must be allowed, that the situation of Great Britain at that time, and of France now, were very different; we had an extensive marine, flourishing manufactures, involving a capital of many millions, and a vast commerce, the amount of the exports and imports of which was nine or ten millions. It was at that time urged, that all these sources of wealth would be greatly injured, but the result had satisfied the bitterest enemies of abolition, and it was now confessed that our interests had been promoted by that measure. Of this experience, purchased at our own risk, France might have made use; she might have learnt that to her, with no capital embarked in the trade or depending upon it, it would have produced no detriment, but acting upon a different principle it was greatly to be feared, that when she should have involved herself in this traffic, and embarked great sums, and mighty interests, at the end of five years she would be able to use the plea of necessity, of which at present she could not avail herself. Colonies of great value and magnitude were now restored to her unconditionally: St. Domingo would in itself be an immense vortex of human calamity; the cultivation of that island might be carried to any extent, and on a moderate calculation it might be estimated, that for that island only, during the five years stipulated, the happiness and the lives of 500,000 human beings would be sacrificed. This statement made the blood run cold, but it by no means was equal to the extent of the evil; it might be computed that in the whole, no fewer than between two and three millions of our fellow-creatures would be torn from their homes, and annihilated for the supply of the colonies just ceded to France, and the evils that Africa would suffer, could not be remedied by the exertions of benevolence during the space of two or three centuries. Was this a prospect that could be beheld without horror?

It had not been his intention to express any opinion upon the conduct of the negociators of this treaty, but in vindication of his own principles, he felt it necessary to say, that no considerations, however weighty, could have induced him to give up any settlements to the enemy that were to be cultivated in a way so abhorrent to humanity. Yet at the same time it was but giving due credit to government to say, that on all occasions, when this subject had been discussed, they had warmly condemned the traffic, or when any assistance was required to execute the law, they had been most willing to afford it. He could not avoid apprehending that this topic was not introduced at so early a period, as its importance merited; it ought to have been made a question of the earliest deliberation, when the first mention was made of the conquests we were to cede to France; we ought to have said plainly, that we were willing to make these great sacrifices gratuitously, only qualified by one condition, that the Slave Trade should be abolished. At that time, however, the matter was unfortunately never contemplated, and the utmost, he feared, we could hope under the present circumstances was, that at the end of five years, France would join with the other powers of Europe in the general condemnation of this Trade. But England ought even now to lift up her voice, if possible, to persuade France to resign the contract, and to procure the assistance of foreign nations, in endeavouring to produce this resignation. France ought to be told, and to be shewn, that her own interest required that the Trade should be abandoned, that even the stability of the union at present existing, might be affected by her compliance or refusal. If she could not be prevailed upon to consent to immediate abolition, or to shorten the period at the end of which she would abolish it, she might surely be induced to prevent the miseries formerly existing, from being introduced with double horror into those parts of Africa, where some of the arts and comforts of civilization had been introduced, and legitimate commerce had been established. It would, indeed, be a most melancholy reflection to those who have been benevolently engaged in producing happiness, the result of knowledge, and in giving the natives a taste for domestic comfort and tranquillity, to find that they had not been usefully engaged, but miserably misapplying their time in aggravating the calamities the unhappy natives would endure when the Trade was revived, and internal commotion and bloodshed again visited them.

At the time the treaty arrived in London, the grief with which he read the article in question, was greatly augmented by the receipt of a letter from Sierra Leone, announcing the fact, under any other circumstances most gratifying, that the last slave factory, about 100 miles in the interior, had been abolished. This was the completion of an important undertaking, by which a district of about 8 or 900 miles of coast had been freed from the depredations of human hunters.

All these efforts were now defeated, and misery would be reinstated on her throne, surrounded by all her ministering calamities. Now the natives would experience the horrible reverse—fathers would be torn from their wives and families, and the dear domestic ties, which civilization had woven, would be broken and destroyed.

One great object of the Address he should propose, would be to secure the enjoyment of the promised benefit at the expiration of the term limited by France. He was not one of those who thought the recognition of the injustice of the traffic by France a matter of slight importance; but it would be well to procure from her, or to induce her to take from herself, securities against human weakness, to guard her against being seduced into a continuance of the Trade. He wished it to be made a public law of Europe, to which all the powers should give their sanction, and obedience to which all would guarantee, that at the end of five years no traffic in human beings should be allowed. Originally, he had in the Address prayed that an offence against this general law should be declared piracy, but he had altered it, when he reflected that Great Britain was for five years conniving at a crime which deserved so vile a name. In the mean time, until the five years were elapsed, his best hopes, (though they were neither comfortable nor sanguine) rested upon the diffusion, especially in France, of the knowledge we had acquired. All the other powers of Europe were favourable to abolition, and they would, he hoped, join in endeavouring to accomplish a purpose so meritorious. The grief he felt at this article was the more poignant, when he recurred to the period at which it was introduced: at that time all Europe, with one voice, was returning thanks to God for its deliverance from slavery: France had just risen from the weight of an iron despotism, and yet, with the concurrence of this country, her first act was to direct this tide of misery to a quarter of the globe where it would introduce calamities, compared with which the horrors of European wars were but as the tranquil blessings of continual peace: it was a trade which poisoned all the charities of private life, which, even in the midst of our own hostilities, were respected; a glorious example of which was displayed by the hero whose praise this night the House had celebrated, who had united the courage of a soldier to the benevolence of a Christian.

He admitted that the case was not now so desperate as if we had determined ourselves to renew the Trade. God forbid it should ever come to that! But the offence could not be considered as light, when we gave to France the colonies we had conquered, that she might people them with the wretched exiles from Africa. As a matter of policy, some individuals, connected with the West India trade, might think that they should be seriously injured by the monopoly that France would acquire. They had consented formerly, for the general benefit, to submit their opinions and to abolish the Slave Trade: but they did it under an implied contract that supposed benefits, of which they were deprived, should not be enjoyed by others. The grand object in view was to mitigate evils that could not, in all probability, now be prevented; but he was not without a faint hope that France, when she found that it was her interest, would consent to an immediate abolition. If not, the period during which the Trade was allowed, might be shortened, or at least France might be induced to join a compact, that would be acceded to by the rest of Europe, to declare it a high crime to be engaged in this traffic: the voice of humanity, justice, and religion called for such a determination. When the heads of all those now living were laid low, and the facts that now excited such powerful feelings, were related by the pen of the cold, impartial historian; when it was seen that an opportunity like the present had been lost, that the first act of the restored king of France was the restoration of a trade in slavery and blood, what would be the estimate formed of the exertions this country had employed, or of the effect they had produced upon a nation under such weighty obligations? Surely, no very high opinion could be indulged either of British influence or of French gratitude. Mr. Wilberforce could not avoid indulging a hope, that those principles of justice and humanity which actuated all the rest of Europe, would have some influence upon France, and that she would see the policy of adhering to those principles which bound the civilised world in one harmonious compact, and which were the main support and security of independent states. The hon. gentleman concluded by moving,

"That an humble Address be presented to his royal highness the Prince Regent, representing to his Royal Highness, That, while we learn with great satisfaction the successful exertions of his Royal Highness in obtaining the consent of the government of Sweden, and still more that of Holland, to an immediate and unqualified abolition of the Slave Trade, we are bound in duty to express the deep regret of this House, that the late unanimous Address of this House, praying his Royal Highness to interpose his good offices to obtain a convention of the powers of Europe for the immediate and universal abolition of the African Slave Trade, to which Address his Royal Highness was pleased to return so gracious an answer, has failed to produce those consequences which this House and the country had most anxiously and with confidence anticipated:

"That the objects to the attainment of which that Address was directed, do, in the opinion of this House, so deeply affect the best interests of Europe, and the happiness and civilization of Africa, as to render it our imperious duty again to press them on the attention of his Royal Highness:

"That although the government of France, whether from the effect of partial and colonial interests, or from not being sufficiently aware of the enormities attendant on the Slave Trade, have not agreed to a stipulation for the immediate abolition of it, yet that the consent of that government to abolish the Trade in five years, and to unite its efforts with those of his Britannic Majesty, at the approaching Congress, to induce all the powers of Christendom to decree its abolition, so that it shall cease universally at that time, together with the disposition the French government is supposed to have manifested, to subject their own Slave Trade to some restrictions during the intervening period; above all, that government's distinct and unequivocal recognition of the radical injustice of the traffic in Slaves, induce the House to entertain a confident hope, that farther stipulations, with a view to the abolition or limitation of the Slave Trade, may be obtained at the approaching Congress:

"That, independent of the unspeakable evils to Africa which must arise from the permission of this nefarious traffic on the most extended scale for a further term of five years, and of the increased inducements for carrying it on which will then exist, it is obvious that new and formidable obstacles to the execution of our own laws against the Slave Trade must be created, that occasions of differences with those powers will be multiplied, that the evils and miseries produced in Africa, from the multitudes of human beings obtained by fraud or by violence being forcibly dragged into perpetual slavery in a foreign land, must be most lamentable and extensive; but they will be particularly afflicting in those parts with which his Majesty's dominions have of late had the greatest intercouse, because the restoration of the French settlements and their dependencies, with the right of an unrestrained Slave Trade, must subject those populous and extensive districts where, by the laudable exertions of Great Britain, peaceful industry and social happiness have been in some measure produced, to a renewal of the miseries inseparable from this odious traffic: the colony of Sierra Leone, also, whence European knowledge, the blessings of order, and the arts of peace, have begun to diffuse themselves through the neighbouring country, will be deprived of its beneficial influence, and even be exposed to imminent danger of ruin.

"That, with a direct view to the considerations and points above-stated, this House humbly, but most earnestly, implores his Royal Highness to endeavour to obtain, if possible, from the government of France some diminution of the term permitted to the Slave Trade, but, in any case, its restriction at least within certain limits, and its total exclusion from the parts of Africa where the exertions of Great Britain have already succeeded in suppressing the trade, that the inhabitants of those regions may be left in the enjoyment of that exemption from its ravages, which they have so recently and so happily obtained.

"That this House feels most deeply anxious that no exertion should be omitted in the approaching Congress, to procure a final and universal extinction of the Slave Trade, because it conceives that no opportunity can ever again be expected to occur so favourable, for effacing from the character of Europe its most opprobrious stain, or for delivering the unoffending, but much injured, inhabitants of Africa from the heaviest of all possible calamities, from intestine war, excited too often by the basest avarice, and the fiercest passions raging without intermission, and productive only of unmixed evil, and of invincible and interminable barbarism, and from practices which, having been exposed to the public eye, have induced the legislature to class Slave Traders among the vilest of criminals.

"That, to produce a universal condemnation of this murderous system, displayed as its horrors now are to the view of mankind, it appears to be only necessary to appeal to those feelings which must exist in every mind capable of reflection, and not steeled against the claims of humanity and justice: that as this system insults and outrages those sacred and fundamental principles which are common to every sect and denomination of Christians, it cannot be doubted that every Christian state is required to take part in its condemnation; those who have participated in its guilt being bound to abandon and to reprobate it; while none who enjoy the privilege of innocence are thereby either deprived of the right, or exempted from the obligation, of joining in the sentence.

"That this House, therefore, again expressing its profound regret that more has not been accomplished in this great work, and convinced that, by the endeavours of his Royal Highness, exerted with renewed energy, much may still be effected in the appointed Congress, humbly, but most urgently, entreats his Royal Highness, that the most strenuous exertions be there made, on the part of this country, to obtain, as far as may be possible, the objects which have been specified, and that all proper means may be used for urging on the assembled powers the duty, the expediency, and the lasting glory of promulgating to all the world, as the judgement of the states of Europe, a general and solemn engagement, under the most binding and effectual sanctions, that this traffic, the foul and formidable enemy of the happiness and civilization of Africa, will at a definite and fixed period, certainly not more distant than five years, be abolished utterly and for ever."

Lord *Castlereagh* said, he concurred cordially and warmly in all the sentiments expressed by his hon. friend, with respect to the Slave Trade itself, and the propriety of such an Address as that now proposed. He had no hesitation in saying, that he regretted as deeply as any man could, that the views of France required such an arrangement as that which had been made: he should, however, have been better pleased, if this discussion had been reserved, until the time for taking the Treaty into consideration; and then, he trusted, he should have been able to shew that the government had performed its duty, even to the interests of this question. The hon. gentleman thought the discussion upon the subject would have been more profitable, if preliminaries had been first agreed upon, and then submitted to the House for consideration. The preliminaries, however, though they only went into all the great and leading interests of the parties, were as binding as the Definitive Treaty—so that, in either case, the House would be bound in the same way.

The question now was, whether, as the Treaty stood, any advantage had been gained? The only thing which the Address of that House to his Royal Highness required, was, that he would exert his influence for the abolition of the Trade; but surely it did not mean to impose upon government the accomplishment of what did not depend upon them. Nothing done on the part of France, either on former occasions or on the present, could lead this country to suppose that she would comply with the wishes of our government in this respect, or that we should make the abolition of the Slave Trade a *sine qua non* in the negociation for a peace. What he was about to say upon the subject now did not come from him as an individual. If France could not be persuaded to act in the manner desired, she could not be compelled to it, nor was it to be expected that she should be taught morality at the point of the bayonet. For the conduct pursued towards her in the late Treaty upon this subject, there were precedents to be found in former governments. In the negociations carried on in the time of Mr. Fox, who from his zealous support of the measure, might be supposed inclined, if any was to make it a *sine qua non* of negociation, he shewed a disposition at first to require, that if France received back her colonial possessions, the Slave Trade should not be carried on by her. The answer of M. Talleyrand, so early as the 9th of July, was, that the emperor would discuss that subject when the more important points were settled. On the 24th of July following, the communication made to Mr. Fox, by general Clarke, was, that the emperor would consider the subject of the abolition when the Treaty was signed. Notwithstanding such communications, the negociation went on. This did not shew any want of zeal in the cause on the part of Mr. Fox, and as little was it made a subject of reproach to him. In the Treaty with the Court of the Brazils, made by the right hon. gentleman (Mr. Canning), below him, it was only stipulated that the abolition should be prospective, and as little was that made a subject of reproach, even by the hon. mover of the present Address himself. This which was a mere question of morality, was never made the criterion whether they should or should not keep up the relations of amity with foreign powers. The government, as in the present instance, might have endeavoured to influence foreign powers for the removal of this traffic, but they never had shewed a disposition to make it a cause of war.

He was glad to perceive that his hon. friend was not disposed to undervalue the stipulation in favour of the cause. If the government of France had been told that her colonies would not be returned but on the condition of not carrying on this Trade, he was certain she would not have accepted them. This was the spirit in which that great nation determined to act, and this was the language held out by her to Mr. Fox. His hon. friend had no reason to indulge in that gloomy state of mind, particularly as the principle was adopted by the French government. It was not, he contended, consistent with the progress of the human mind to adopt valuable truths at once. It took a considerable length of time before the abolition of the Trade was adopted, even in this country of liberality; and other countries could not be blamed for not adopting it immediately, particularly when it was proposed to them in the shape of a *dictum*. However high the hon gentleman's mind might be upon the subject, and however disposed he and the nation might be to make sacrifices for it, he could assure him that such was not the impression in France, and that even among the better classes of people there, the government here did not get full credit for their motives of acting on this question. The motives were not there thought to arise from benevolence, but from a wish to impose fetters on French colonies, and injure their commerce; and if it was made a question of power, he was convinced that interest would be supposed to have a share in it. If this country retained the colonies, unless upon the condition of abolition, it would be said we retained them for commercial views, and that it was only a pretence for keeping up the war, and retaining possession of those settlements. Would it have been right, by insisting upon the abolition as a *sine qua non*, to dissolve a union which had saved the world? He had no hesitation in saying that they gained what they did upon the subject by not mixing it with the question of colonial cession. If the correspondence with the different powers, relative to this part of the Treaty, were produced, he had no doubt but it would prove that the government had performed their duty; but at present he should feel it his duty to resist the correspondence. What had been done was undervalued;

what remained undone was rated too highly. Sweden had shewed every disposition to concur in the abolition, and so did Denmark.

His lordship then proceeded to observe, that, in the present state of things, France was, perhaps, that very country, in which his hon. friend would be least justified in expecting a sudden change of system, with reference to the Slave Trade; for it was most notorious, that the dreadful tyranny by which France had been so long oppressed, and which was now happily terminated, had precluded the people from that knowledge and information, with reference to political events, which existed in almost every other state. In the internal parts of France the inhabitants were absolutely ignorant that the Slave Trade was abolished in the British colonies. There was no part of Europe, he believed, in which such profound ignorance prevailed as in France. His hon. friend seemed to regret that the colonies had been restored without a specific stipulation for the abandonment of this Trade. Now he (lord Castlereagh) knew the impossibility of procuring any such stipulation. He was told by the French ministers themselves, that, if they took back the colonies, without the right being allowed to carry on the trade in slaves, the feeling of the French people would be, that peace had been made for the purpose of having their colonies restored, but that they had recovered them in a way extremely disgraceful to the nation. He conceived that they were not now placed in a situation to do more good on the subject, than if a formal stipulation, of the nature alluded to by his hon. friend, had been entered into. He was convinced, that the Trade would ultimately be abandoned by France; and if it were at all carried on, it would be on the principle, that, after a certain period, it would be abolished. Surely, his hon. friend would permit him to suggest, that if a stipulation to put an end to the Trade, at the expiration of five years, were not available, as little available would be a contract to abolish it immediately!

He could assure the House, that every endeavour was made, as long as a prospect of success remained, to have this traffic destroyed. When it was found that could not be completely effected, an effort was made to restrict its existence to three, instead of five years; when that failed, it was attempted to procure a stipulation to prevent the Trade being introduced on that part of the African continent to which his hon. friend had alluded. But this could not be effected. What, then, was done? The present Article was agreed to—the French ministers declaring, that, being masters of the question themselves, the French government would, as a voluntary act of their own, put down the Trade at the end of five years—and were determined to assist Great Britain in procuring the principle to be recognised as the general law of Europe. They did, however, stand on this principle, which could not be mistaken, that they would be masters of the question themselves—at liberty to act on the decision of their own judgment—and determined not to obey the dictation of any other power. It was on this general ground of reasoning, that the French ministers shewed the strongest objection against any proposition which would seem to deprive them of a perfect jurisdiction over the question—such a deprivation, they conceived, would lower them in the estimation of the people, and weaken their hands on other points, of very great importance. But, when they made this declaration, they gave him (lord Castlereagh) official assurance, that they were ready to adopt the principle of abolition as soon as possible. He was ready to admit, that Guadaloupe and Martinique being permitted to be points of depot, did, to a certain degree, increase the probability of an illicit trade being carried on from those islands with our colonies. But if France had even consented to abolish the Trade, the number of depots which would have otherwise existed, was sufficiently numerous for the illegal introduction of slaves into the islands belonging to Great Britain. From the Havannah and Porto Rico, the possessions of Spain, slaves might very easily find their way into our colonies.

He hoped that gentlemen would not encourage a disposition to under-rate every thing that had been done, and to magnify the importance of that which could not be effected. He thought the influence and example of France were invaluable, as they operated with respect to this question. France was not the only power whose colonial importance made the Slave Trade a question of interest. Spain and Portugal were also connected with it; and he thought his hon. friend was wrong in dashing from his lip the cup of enjoyment, by indulging the supposition, that if a final regulation had been made with France to abandon the traffic, it must necessarily have been abolished. Even if such a regulation had been agreed to, great and substantial difficulties would still have remained. Russia, Prussia, and Austria, were ready to assist in effecting this most desirable object, and he believed France was most sincere in her wish to abolish the Trade. Much surely had been gained; and it was a great matter, when gentlemen recollected, that the negociation ended in mutual respect and confidence, instead of terminating in anger and dissatisfaction. Now, if France had taken back her colonies on a principle which she felt dishonourable to her character as a nation, it must have led to eternal disputes; and his hon. friend must be perfectly acquainted with the advantage to be derived from entering into explanations with a friendly rather than an adverse power. Instead of shutting their eyes to the difficulties which opposed themselves to the abolition of this system, they ought boldly to examine them; and he felt that he should be deceiving the House, if he said, that they were to expect to find either in Spain or in Portugal the existence of that feeling on the subject of the Slave Trade, which he stated France to possess. With respect to the two former powers, their colonial interests were so deeply concerned in the Trade, that the mother country was not fairly able to master the question. This arose from the extent of foreign possessions, and from the long continuance of the system. If, therefore, the question were settled with regard to France, the great difficulties would remain with respect to the courts of Spain and Portugal. Now, though he did not despair of succeeding even with them—yet surely it would not be asserted that the difficulties which they had to overcome were trifling. If the Treaty with France had been as perfect as his hon. friend could have wished, with respect to the Slave Trade, still, even in that state of things, much would have been left to do, with reference to the powers which he had mentioned.

From all these considerations, his lordship hoped the House would be disposed to believe that his Majesty's government would not lay themselves open to a reproach from parliament, for having neglected to procure the full recognition of a principle, which would be so highly gratifying to the country. They had done all they possibly could on the subject, and if he had thought that he could have pushed the principle farther than he had done, with success, in the then state of the public mind in France, he certainly would have used his utmost exertions for that purpose. But, as he felt that it would tend to dissolve that confederacy, to which Europe owed its liberties, if they stuck out for that which others powers would not support this country in accomplishing, he was satisfied that they had acted most discretely in the cause which they were appointed to manage, by proceeding as they had done—they had procured a declaration from France that she would, at the expiration of five years, put an end to this Trade—and, he believed, the interests of humanity could nót be placed in better hands than those of the monarch of that country, whose benevolent mind would take every possible opportunity to forward the cause for the success of which his hon. friend felt such a laudadable anxiety.

On the grounds he had already stated, he had no hesitation in agreeing to the Address. He conceived that it would assist the cause of abolition, by shewing to the world the continued determination of the government and parliament of this country never to abandon a measure to which they were solemnly pledged, and which they would support by every means, consistent with the peace and good order of the world. He trusted the House would give his Majesty's government credit for the exertions they had made, and which they intended to make. Anxious as they were for the adoption of the principle contended for by his hon. friend, they did not think it right to force it upon other nations, at the expence of their honour, and of the tranquillity of the world. Morals were never well taught by the sword; their dissemination might sometimes be made a pretext for ambition, but the real object could not be long concealed; and it was to the light of experience, to the promulgation of wisdom, and not to the exercise of violence, or the influence of war, that they could look with any prospect of success, for the abolition of the Slave Trade.

Mr. *Ponsonby* said, that he could not admit the proposition which the noble lord seemed anxious to press upon the attention of the House, that the abolition of the Slave Trade would involve a question of war or peace with France; and as to the allusions of the noble lord to the conduct of Mr. Fox with respect to the Slave

Trade, he thought it would be rather difficult to shew that Mr. Fox could assume the tone and language towards France, which the present administration was entitled to use, because at the time Mr. Fox treated with the French government, England herself had not abolished the Slave Trade. It would have been singular, indeed, if we had demanded of another nation to abolish that traffic, while we continued it ourselves. He understood from the noble lord, that Russia, Austria and Prussia were not disposed to continue the war with a view to promote the abolition of the Slave Trade, although anxious for the attainment of that measure, and it was observed by the noble lord, that we had not the power of interposing, with effect, to influence the decision of the French government upon this subject. But what was the situation of France, at the period of the noble lord's negociation with the French government? Its capital was in the possession of the allied army, and the French force was dispersed. Was the noble lord, then, entitled to assume, that the important object, to which the Address referred, was unattainable under such circumstances without persevering in the war, especially if the French government were, as the noble lord stated, friendly to the abolition? Surely, if in such a situation it was found impossible to obtain the acquiescence of France in the abolition of the Slave Trade, the difficulties which the noble lord alluded to, with respect to the disposition of Spain and Portugal upon this subject, must be absolutely insuperable, and the more so in consequence of the example afforded by the Article under consideration. What, then, was the prospect which the friends of humanity had to contemplate? The French government was, as the noble lord stated, sincerely disposed towards the abolition of this odious traffic; and as a proof of its sincerity, the noble lord dwelt upon its agreement to put an end to it in five years. But what assurance had the House that France would abolish the Trade within that period? If the French nation were so unwilling, as the noble lord stated, to give up the Slave Trade at present, how could the House calculate that that nation would be ready to abandon it, after it had embarked its capital and derived a profit from the pursuit of it? But what evils must result from the prosecution of such an undertaking! It must produce incalculable ravages in Africa, a great part of the population of which must be swept away, to gratify a base thirst of gain. In his judgment, the Article under consideration might be said to tend rather to the establishment than to the abolition of the Slave Trade. But the noble lord had said, that no other terms could be obtained from the French government. For this, however, the House had no other evidence than the assertion of the noble lord who had conducted the negociation; and although he was as willing as any man to treat the word of the noble lord with all due deference, he could not think assertion conclusive in this instance; for that assertion might rest solely upon his own inference, a judgment which might be completely erroneous. For himself he had no hesitation in declaring, that he felt it impossible to believe, that with all the French colonies in our possession, and under all the circumstances he had already stated, the French government would not have assented to the abolition of the Slave Trade, if language sufficiently firm had been held to it upon that subject. The noble lord had said, that the French people were not truly apprised that the Slave Trade had yet been abolished in this country. But was it possible that the French merchants, that any parties interested, could be ignorant of the important circumstance? If so, was the removal of that ignorance likely to be accompanied by a removal of the disposition of the French merchants to prosecute this detestable traffic? As to the noble lord's assertion respecting the disposition of the Swedish government to abolish the Slave Trade, he could not consider the surrender of Guadaloupe as any very strong symptom of the sincerity of such a disposition; and this remark applied to the party who proposed, as well as to the party who acceded to the surrender. Recurring to the noble lords's question, whether we should go to war to enforce the abolition of the Slave Trade by France, he begged to observe, that the case was very different whether we should commence war for such an object, from that of insisting at the termination of a war, that a nation, circumstanced as France was, should agree to it; and he would ask, whether the noble lord could really think that, at the end of five years, it would be less difficult to procure the acquiescence of France in the abolition of the Slave Trade than it was at present, or than it was at the negociation of the Treaty under discussion? He would also ask whether, if France should refuse to acquiesce at the end of five years, it was intended to go to war in order to enforce her observance of the Treaty, and if so, whether war was then likely to be so effective or less inconvenient than the prosecution of the war for such an important object, under existing or recent circumstances? But while he put this question, he would protest against the supposition that our government was reduced to the necessity of conceding to the will of the French government, or prosecuting the war, for his conclusion was quite the reverse. He firmly believed we might have retained the colonies, and he was convinced that ministers ought to have insisted upon their retention, rather than have surrendered them upon such terms as made this country a party in the guilt of continuing the Slave Trade. What mischiefs were likely to result from this continuance, he thought it impossible to contemplate without horror. From our own experience, from the evidence laid before parliament respecting this abominable Trade, there was, indeed, but too much reason to apprehend that its continuance for five years by France would serve to inflict wounds upon Africa, from which that unhappy country could not recover for 200 years. It had been stated that, from the nature of our constitution, parliament could not refuse its assent to any definitive treaty. On this he would agree as a general, but by no means as an universal proposition. For who could contract that this nation should stand pledged to the perpetration of crime—that it should engage to participate for five years in doing that which was wicked, and contrary to all the fundamental principles of morality? With respect to the Address, although he thought it could produce very little, if any advantage, yet fully believing it the fruit of good intention, it should have his concurrence.

Lord *Ebrington* agreed to the motion, and expressed himself much dissatisfied with the stipulation to which this country had been made a party.

Mr. *Mackenzie* looked upon the Treaty as intended to continue, and not to abolish, the Trade; for it was entered into with a nation, that, for many years, was deprived of its colonies, and therefore, could have no capital embarked in the traffic. If France was unwilling to give up the Trade at the present moment, how would she feel five years hence, when her commerce was renovated and her mercantile greatness restored? It was an extraordinary way, he thought, to destroy this nefarious Trade, by telling France to engage in it for five years—a period, in which he had no doubt, whole ages of crime would be compressed. He hoped, at all events, that at the expiration of the five years, an end would be put to this abominable system, and that France would not be allowed to have more than her "pound of flesh."

Mr. *Barham* said, he would rather give the Article back to France, and let no stipulation be entered into on the subject, than make this country, as she had been made, a party to this execrable traffic. The contract, he contended, was not legitimate: it was not a case where a possession was to be ceded, or where a pecuniary grant was to be made; it was an article entered into, to authorise the commission of a crime. It had often been denominated a crime in that House, and it might have occurred to those who put their hands to the Treaty, that they were binding the sovereign and the country to the commission of a gross injustice. This stipulation rendered crimes more immediate and more extensive; because, but for this Article, it was highly probable that the Trade would have remained dormant for some time; but it acted as a proclamation to all whom it might concern, that now was their time, or never. After a variety of strong and pertinent observations, on the barbarity of the trade in human blood, the hon. gentleman summed up his objections to the stipulation, under three heads: 1st, Because it made this country a partaker in crime: 2dly, Because it rendered the Slave Trade immediate, which it would not otherwise have been: and, 3dly, Because it would make those engaged in it infinitely more active, than, under other circumstances, they would have found necessary, and afforded a strong probability that the Trade would never be abolished. He then moved, as an Amendment to that part of the original motion in which the Prince Regent is humbly implored to obtain from the government of France, "some diminution" of the term for which she is allowed to exercise this traffic, "That an immediate renunciation of the Slave Trade may be effected, in return for any cession, consistent with the honour of this country, which may be agreed on by his Majesty's government, with the concurrence of his Majesty's allies; and if such renunciation be found unattainable, that efforts might be made to obtain every possible diminution of the term specified in the Treaty."

Mr. *G. Philips* rose, and spoke nearly as follows:—

Mr. Speaker; I should be sorry, Sir, to protract a debate which so many gentlemen seem desirous to close; but I hope that the House will excuse my unwillingness to give a silent vote on a subject in which I have felt a deep and uninterrupted interest, since the time when the writings of Mr. Granville Sharp and Mr. Clarkson drew general attention to it down to the present moment. Whoever, Sir, has attended to the history of the abolition of the British Slave Trade, must have had this reflection forced upon him: that, notwithstanding the unexampled industry used to communicate information on the subject among all ranks and descriptions of people; notwithstanding the eloquent and unanswerable arguments by which the necessity of the measure was enforced in both Houses of Parliament; notwithstanding the numerous petitions heaped, year after year, on your table, and the almost unanimous expression of the public abhorrence of that traffic; the British Slave Trade could not be abolished till an administration, acting from the pure and honest motives which they professed, brought all their official influence to bear on the question, and did that great act of justice and humanity which no preceding administration had the virtue to accomplish. No man, Sir, could reason more justly, or declaim more eloquently, on the enormities of the African Slave Trade than Mr. Pitt; but having adopted the principle that it was necessary on this subject, by a sort of metaphysical abstraction, to separate the influence of the minister from that of the man, the influence of his government was never applied to it; and the traffic was not abolished. I have heard it asserted, that public opinion alone put an end to the Trade. No man, Sir, exults more than myself at the recollection of the spontaneous, and nearly unanimous, detestation of the Trade, which was expressed by all ranks of our countrymen; but I cannot forget that the public voice had been raised even more loudly against it before the administration of Mr. Fox, than during its brief existence; and to such a degree do I think the gratitude of the friends of justice and humanity due to that short-lived, and much misrepresented administration, that I do in my conscience believe, but for them, the British Slave Trade would at this moment have been continued to the disgrace of the country, to the outrage of public feeling, and in violation of every principle of policy, justice, and humanity.

I cannot help, Sir, remarking a coincidence, or at least an extraordinary approximation to a coincidence between the conduct of the governments preceding that of Mr. Fox in relation to the British Slave Trade, and the conduct of the noble lord and his colleagues, in relation to the Slave Trade with the French colonies.

The British public are not less, perhaps even they are more, anxious at present to prevent the renewal of the traffic in Slaves with those colonies, than they were to put an end to it in our own islands: but ministers, professing the same feelings, have not employed all the influence of the British government to do that which they had the means of doing, which the public had a right to expect from them, and which they were bound in duty and honour to do. No combination of circumstances could have been more favourable for accomplishing the object to which the attention of the government had been called by the unanimous addresses of the two Houses of Parliament. We had long been in possession of the French colonies, where the Slave Trade had ceased for some years.—We were also in possession of settlements on the coast of Africa, which had formerly been rendered subservient to the French Slave Trade. Why were we not, before engaging to restore these colonies and settlements, to require that the French government should not renew that infamous traffic?

The noble lord, it seems, wanted a precedent to guide him. Why did not he take the precedent set by his own government in the treaty with Sweden, and which he has this night told us has been followed in the treaty with Holland? But he preferred, it seems, copying the precedent of Mr. Fox, who did not, he says, insist, as an indispensible condition in his negociation with France, that the Slave Trade should be abolished in whatever colonies we might cede to that government. The noble lord did not, however, advert to the fact, stated by my right hon. friend, (Mr. Ponsonby) that the British Slave Trade was not at that time abolished, and that the relative circumstances of the two countries were so different *then* from what they are *now*, that Mr. Fox could not reasonably have proposed to Buonaparté those terms which we have at this moment a right to require from the French government. Besides, how do we know that the negociation was advanced to that stage at which the question of the Slave Trade could have been introduced with propriety?

In the circumstances of the noble lord, what had he to fear from requiring of the French government, that the Slave Trade should not be renewed with the islands to be restored? Was he afraid they would not receive the islands on that condition? Why, then, should we not have retained them for the advantage of our own empire, shewing, as we should have done, the sincerity of our professions, by enforcing on our own subjects the condition which we had required from France?

But the noble lord asks, "Would you have risked a continuance of the war for that object?" I will answer his question by another question—Would the recently formed (for we can hardly call it the established) government of France have risked its own existence on the question, whether it should have the privilege of renewing all the iniquity of the Slave Trade for five years? Must it not have been obvious to that government, that its only chance of securing to itself the affections of its subjects, was to pursue a course directly opposite to that which had led to the destruction of the preceding government? that it was indispensible to its existence to put an end to the system of conscription, and to restore peace and repose to that distracted empire? Besides, Sir, what class of its subjects could have any interest in the renewal of the Slave Trade? Would the marshals of France or the military in general, or would the peasantry feel any interest in the question? The only persons who could by any possibility suppose themselves concerned in it, were a few of the reduced commercial class; that class which had been injured, insulted, and outraged by Buonaparté. Was it necessary to conciliate this class for the French government to offer them a trade in human blood, at the very time when a peace, long, and in vain wished for, was opening to them channels of commerce, in which industry and enterprise might secure to themselves a reward with innocence and peace?

But, supposing the French government had been infatuated enough to enter into a war for so disgraceful an object—Where were they to look for allies in such a cause the three great powers of Europe, Prussia, Austria, and Russia, having, as the noble lord has told us, declared unequivocally their abhorrence of the African Slave Trade? How were they to have assailed us, their armies disheartened, and in captivity, and devoted, as they have proved themselves to be, to the preceding government? Must not another revolution have been the infallible consequence of a war in which no national enthusiasm could have been excited, no military ardour kindled, and of which the detail would have been as tiresome and disgusting to the native impetuosity of the French, as its principle would have been abhorrent to every man who had any sense of justice or humanity?

I hope, Sir, that I shall not be suspected of an inclination to speak with disrespect of the noble lord of whose conduct on two very important occasions I have highly approved. (I allude, Sir, to the question relating to the Irish Catholics, and to the spirit of moderation which he shewed upon the extraordinary successes of the allies.) But I must beg the noble lord's permission to express a doubt whether a declared and active opponent of the abolition of the Slave Trade, down to the very period of its enactment, could be an adequate representation of the deep interest felt by parliament and the country on that great question. Whatever may have been the cause, the opportunity of preventing the renewal of that infamous traffic has been lost, and I have little hope of its recurrence. But the noble lord says, it is all to end in five years—In five years, Sir! but in those five years what ages of misery and desolation will be crowded! Can the House forget to what an extent the British Slave Trade was increased in the interval which passed between the first declaration of the public feeling against it and its entire abolition? And will not all the iniquities and horrors of the French Slave Trade rage with tenfold fury during the next five years? The heart sickens at the thought of destroying, as the hon. gentleman (Mr. Wilberforce) said some nights ago, at "one fell sweep," all the effect of those benevolent schemes, so gratifying to humanity, which have been employed to substitute in Africa mutual confidence and the arts of civilization, and peaceful industry for the mutual suspicion, and perfidy, the dread, and slaughter, and ravage of the Slave Trade. Even our exultation at the great events which have restored peace to Europe, and for which we have this night heard that the Prince Regent has ordered a day of national thanksgiving; even an exultation at these glorious events (for which every religious heart has offered its humble tribute of gratitude and praise), is exchanged for regret and shame, when we reflect that the peace of Europe is to be the signal of war and havoc in Africa!

But the evil is to end in five years! This, Sir, is the usual way in which vice tries to flatter and deceive itself, and to stifle the upbraidings of conscience. Another throw, and the gamester will quit his play—but he persists to his ruin,—another winter, and the house-breaker and highwayman will abstain from acts of violence, and discontinue their nightly depredations—but they go on in their guilty career till they meet with the condign punishment which they have merited—and will the course of the French government be different? I am unwilling, Sir, to speak otherwise than with respect of a government with which we are at peace, but it would be treachery to use reserve on a subject like this. I would ask, Sir, will that government which has not learned in adversity to reflect on, and compassionate human misery, be taught better sentiments among the splendours, and dissipation of a court? And will a residence in the metropolis of France communicate to them those principles and feelings which one would have thought it almost impossible for them to have failed catching from the British public, while they were receiving, as exiles among us, a generous protection?

But will not the next five years produce many arguments for continuing the Slave Trade in addition to those which now urge the French government to renew it? Establishments, employing large capitals, will be created, which will be destroyed, or rendered useless by its abolition. A class of French subjects will then have acquired a deep interest in it, who will urge their claims on the government for its continuance. If we insist then in the annihilation of the Trade, will not a war betweeen the two countries be not merely the probable, but the almost certain consequence? And shall we be enabled to do that by a war, which I contend we might easily have done without one? Even if a war should transfer to us all the colonies and settlements which we have ceded, we cannot suppose that they would again remain long enough in our possession to admit of our extinguishing the Slave Trade in them for the same number of years, and establishing the same means for the progressive improvement of the people of Africa.

No man, Sir, can be sanguine enough to hope for the recurrence of such an opportunity of putting an end to this enormous evil as that which we have neglected to profit by. If any thing, Sir, could increase one's disgust with this Article of the Treaty, it would be the hypocritical cant which is introduced into it—[Here Mr. Philips read the Article.]—I would just remark, in passing, that it is expressed in terms which exclude from observation the important fact, that the African Slave Trade to the French colonies does not at present exist, and that, unless it be renewed by the French government, its abolition cannot, strictly speaking, come under the cognizance of the approaching Congress. But let us just consider what the French government undertakes in this Article. The government of France characterizing the Trade as repugnant to the principles of natural justice, and to the sentiments of the enlightened age in which we live, coolly, and deliberately determines to incur the guilt of renewing it, and at the same time announces the inconsistent and contradictory determination, not only to repent of that unrepented crime which it is going to commit, not only to reform itself, but to use its efforts to reform all its associates in iniquity. Do the annals of diplomacy present an instance of an attempt so gross, so palpable to impose on human simplicity and credulity? And was it not essential to the success of such an attempt that there should be as great an aptitude to be deceived on the one side, as there was an inclination to deceive on the other? The plain and obvious interpretation of the whole is, the French government sought for a licence to kidnap, enslave, and murder in Africa for five years without molestation. That licence we have given them, and by so doing, we have involved ourselves as accessaries and accomplices in the guilt. After acceding to this Treaty, with what consistency can we urge upon other governments the abolition of the Slave Trade, even upon those over whom our influence on such a subject ought otherwise to have been paramount, and supreme as it is to us that they owe their existence. The more, Sir, I reflect on the principle, and all the relations, and consequences of this Article of the Treaty, the more does my mind revolt from it. I cannot better characterize it than in the language of our great dramatic poet:—It is a treaty

"———— Cancelling your fame;
"Razing the characters of your renown;
"Undoing all as all had never been."

The mischief, Sir, I fear, is done, and I must own that I do not know where to look for a remedy: but it is certainly our duty to use all the means left for averting so enormous an evil; and as the amendment of my hon. friend (Mr. Barham) gives some additional chance of effecting our object, I shall vote for it in preference to the original motion.

Lord *Lascelles* thought, that while gentlemen were so full of humanity for the Africans, as to prefer continuing the war to signing such an article, they ought to have some compassion upon Europe, which had lost so many thousands during the war. He was astonished to hear from the other side of the House, that because four large armies were in France, we had a right to dictate to that nation, when he recollected for how many years they had maintained the doctrine that we had no right to interfere with the domestic concerns of that country. He gave his assent to the motion.

Mr. *William Smith* thought the last speaker mistook the true point of humanity in the present instance. It was not necessary to desolate Africa, in order to restore peace to Europe. But as we had the colonies in our possession, and as we had put the inhabitants in a certain situation, he conceived we had an undoubted right, either to keep them ourselves, or if we gave them up, to insist on the inhabitants retaining all the advantages we had put them in possession of. If we demanded nothing for ourselves, we had a right to demand every thing for justice. The hon. member then observed, that the mildness with which this question was often treated arose, in a great measure, from the fallacy which lurked under the word "trade:" it was no more a trade than robbery or murder was a trade.

Mr. *Marryatt* referred to the French colony of Cayenne, as the one to which there would be the greatest traffic in slaves, under the new stipulation. They were easily transported there from the neighbouring coast; and in 1804, ten thousand had been carried over in twelve months. From the particular nature of the country, which was liable to inundation, and the employment of the slaves, who were forced to stand up to their middle in the mud and water, only males were imported, and consequently the breed could not be kept up, without constant supplies from the African coast.

Mr. *Whitbread*, in an animated speech, lamented the rapid steps with which we had descended from the resolution of the House on the 2nd of May, in their Address to the Prince Regent to the motion of his hon. friend this day, and from that motion to the speech of the noble lord. If six weeks ago it could have been known that such an article would have been inserted in the Treaty then pending, he was sure it would have been prevented by an unamous address from that House against so inhuman a concession. If the noble lord, having the colonies in his possession, could effect no more for this great object at Paris, what could he expect to do now at Vienna, after having thrown the game out of his hands? If the noble lord complained of the ignorance in which the French people were kept on the subject under Buonaparté, did he expect greater facilities of information to be afforded by the present government, who had embarked in the Trade, and who had refused permission to publish the resolutions of the 2nd of May in the French newspapers? Did this look like a disposition to diffuse light and knowledge on the subject? He ridiculed the idea of lord Castlereagh, that the refusal to concede this Article would have dissolved the union of the continental powers; as if Russia, Austria, and Prussia would go to war with us to enfore the renewal of a Trade, for the abolition of which we had the assurances of the noble lord himself that they were sincerely anxious. His organs of understanding must be differently constituted from those of another noble lord (Lascelles) who had compared our refusal to give up the islands which we had conquered, except on certain conditions, to an interference in the internal policy of France. He alluded to the conclusion of the speech of Mr. Marryatt, which, he said, reminded him of the speeches he had formerly heard in defence of the Slave Trade, and also of a proposal he had lately heard with horror, of our renewing the Trade in order to carry it on with more humanity than our neighbours. With respect to the appeal which had been made to the example of Mr. Fox in

1806, Mr. Fox was not armed with the power which the noble lord had to enforce his demands, and he was well convinced that Mr. Fox would have sooner parted with his right hand, than have signed such an article as that contained in the present treaty. Mr. Whitbread said, he did not expect much from the terms or the tone of the motion of his hon. friend, but he hoped the noble lord would do every thing at present in his power to redeem the character of the country which had been thus forfeited.

After a short conversation, the amendment was withdrawn, and the motion for the Address was agreed to *nem. con.*

## HOUSE OF LORDS.

### *Monday, June 27.*

Imprisonment on Mesne Process.] Earl *Stanhope* rose to present a Petition from Elizabeth Booth, the widow of Peter Booth. Her husband had been arrested on Mesne Process on Saturday, the 7th of May last, although at the very time he was so afflicted with illness that he could not rise from his bed. In this condition he was willing to give up all his furniture and whatever other effects he had to his creditor. His wife, the petitioner, also obtained a certificate from a medical person, stating, that her husband's life had not three days purchase in it, and that it would, therefore, be useless to arrest him. This certificate she delivered to the sheriff's officer, but it had no effect, for he actually took him on his back, and in that manner conveyed him down stairs. He was met in the passage by the landlady of the house, who asked him "where he was going with the man?" He answered, "to Newgate;" she replied, "do you not see that you are murdering him, by removing him at such a moment?" to which he said, "I have nothing to do with that, I am only doing my duty." The prisoner was then conveyed in an open cart to a lock-up house; from whence he was removed, on Monday, to Newgate. There was neither cell nor room to receive him, and he was actually laid upon a bare bench in one of the yards; nor could his wife obtain for him any shelter till she had promised to pay four shillings a night for a bed. The consequence of this treatment was, that he became insane on the Thursday, and in which state he expired on the 27th of the same month. A coroner's inquest was taken, and their verdict was, "that he had died a natural death, but accelerated by his removal to prison." Such were the facts of the Petition; and the petitioner further prayed, that the murderous practice of Mesne Process, which had deprived her of her only comfort in this life, might be wholly abolished. The Petition was ordered to lie on the table.

Thanks of the House to the Duke of Wellington.] Earl *Bathurst* rose to propose to their lordships a motion of Thanks to his grace the duke of Wellington. It was now upwards of five years since he had accepted the command of the army in the Peninsula, and at that time almost the whole of Spain was in the possession of the French troops: but before he closed his renowned and glorious campaign, not a single Frenchman was left in that country. During the whole of that period he had never once left his command, though he had the same inducements to return home as other individuals. One of those inducements might fairly be presumed to be the honourable wish of receiving from his sovereign and his country those grateful acknowledgments of his services, which formed their present reward. And let no man underrate such rewards, by those chilling lessons of a selfish philosophy, which saw in them nothing to animate the exertions of genius and heroism. All those and various other inducements, however, the duke of Wellington had resisted; but that liberty which he denied to himself, he freely granted to his officers; employing his own time, meanwhile, in preparing those resources, and maturing those plans, which led to fresh glory. All his thoughts, his whole soul were engrossed by the mighty conception of working out the salvation of Europe by the progress of his arms; and now that he had accomplished it—now that he was returned victorious to his country, it would not, he trusted, be necessary to use many arguments to persuade their lordships to shew by their vote that they were sensible of all his great and splendid services. In congratulating themselves upon the deliverance of Europe, they could not hesitate to mark with their approbation the man by whose example that deliverance had been accomplished. He should not detain the House any longer, but conclude by moving, "That the Thanks of that House be given to his grace the duke of Wellington, for his eminent and unremitting services to his King and country, and that the Lord Chancellor do deliver the same to the duke of Wellington in his place."—The motion was agreed to.

MOTION FOR AN ADDRESS RESPECTING THE SLAVE TRADE.] The order of the day being read,

Lord *Grenville* rose and spoke as follows:*

My Lords;—Your lordships will readily believe, judging of my feelings by your own, how deeply mortifying it must be to me again to bring under your discussion a subject which I vainly thought had been closed for ever; how painful to the adversaries of the Slave Trade once more to find themselves suppliants in the cause which they had gained, soliciting your interposition to prevent the revival of that atrocious wickedness in the final abolition of which they had so long exulted. And yet it is from these very recollections that they now derive both consolation and confidence. Animated by the memory of past success, by the indelible impressions made upon the public mind, and by your own irrevocable determination, they come before you now afflicted indeed, but not depressed, dismayed, but not discouraged. The stipulations of this treaty have filled them with alarm and grief; but their zeal is unabated, their perseverance not to be overcome. Disappointed of the promised aid from their government, they have found a strong bulwark in the feelings of their country, and they rest with firm reliance on the virtue and constancy of parliament. By this reflection, by these hopes, all their exertions are supported; by these I am myself encouraged once more to solicit your attention on a subject of such unspeakable importance. The sentiments of an individual you might consider as exaggerated, his regrets unfounded, his apprehensions visionary. But the impressions under which I now address myself to your lordships are not confined to my own breast. The deep shame and sorrow, the heartfelt and indignant disappointment which burst from me on the very first appearance of this inconsiderate stipulation, are fully shared by a generous and feeling people. And though my own weak efforts should now fail, as they so often failed before, though the exertions of others should prove on this night as unsuccessful, as when for so many years together we laboured in this noble cause; yet may we once again, if its supporters be not wanting to themselves, anticipate with full assurance its renewed and final triumph. The feelings of our countrymen are roused. They will not, they cannot consent to the revival of the Slave Trade. It is therefore on their behalf, it is in the name of the people of England, in support of their numerous and urgent petitions, that I plead before you on this day; to avert from them this unmerited disgrace, to rescue from disappointment and defeat, that sacred cause in which they have already conquered, and to vindicate from the unhallowed intrusion of guilt and shame, their glorious triumph—the triumph of religion, of justice, and humanity.

I am about to move, that your lordships should make application to the throne for copies of the representations made by the British ministers at Paris, in conformity to our unanimous address, for the immediate and universal abolition of the Slave Trade; and also of the answers returned to them on the part of the different governments with which we have negociated. To doubt the existence of such papers, would be to question the plighted faith of the crown. To dispute the propriety of communicating them to this House, would be to establish new principles and rules of practice for the British constitution. Seldom does parliament interpose its previous advice in foreign negociation. And, in proportion to the rarity of the occurrence, is the respect which such interference claims, and the importance attached to its success. Its failure, therefore, demands enquiry. We are bound to ask, we are entitled to learn, what cause has induced the servants of the public to act in opposition to the declared opinions of parliament.

But, though I confidently rest my motion on this irremoveable basis of constitutional right and parliamentary duty, let not, I beseech you, its character be misunderstood. This is no party question. I mean not to disclaim the principle of party union. Far otherwise. The co-operation of honourable men in the public cause, is essential to all the interests and all the rights of this free community: it is the best foundation which they can lay for virtuous and useful service, the surest pledge which they can give to their country, the firmest security to themselves for upright and disinterested conduct. But with these principles my present motion has no connection. The demand of our country for the immediate and unqualified abolition of the Slave Trade, rests not on any local, any tempory considerations, on any questions of constitutional right or political expediency. Its principles are universal, its foundations eternal. Grounded in immutable justice, and commanded by the plainest precepts of that religion which we profess in common, this great work of mercy claimed, from the beginning, the support of all good men of every description. On these motives its first promoter originally submitted it to parliament: he, whose name it will transmit with unfading honour to all posterity; he, whose memory generations yet unborn, and nations yet uncivilized, will learn to bless. With these feelings the two great party leaders of our time fought and conquered together under his standard; establishing within these lists, a suspension of all political hostilities; a sacred truce, like that truce of God, by which the nations of Europe renounced for a season their private quarrels, or that peace which they once proclaimed to Christendom for the prosecution of what they deemed a holy war. But much more holy was this cause, with much more sanctity was this truce observed. And I should now disgrace their memory, I should disgrace my own conduct pursued in honourable concurrence with them, and adhered to with undeviating constancy, for more than five and twenty years; I should dishonour, if it were possible, this sacred cause itself, could I consent to render it subservient to any personal or political animosities. Highly as I value my political connections, fondly as I cling to those private friendships and affections, which it is my pride and happiness to cultivate, yet there exists not on the earth that man whom I so dearly love, as to have hesitated, had he been capable of signing such an act as this, to reprobate it here with just indignation. In whatever hands this cause had failed to your lordships, my appeal would have been made. To this House I should have submitted, with unfeigned earnestness, the inestimable importance, the unspeakable value, of all the interests which have thus been abandoned; and I should have claimed, as I now claim, from your justice and piety, from the virtue of a British legislature, from the religion of a Christian country, the immediate revocation of so dishonourable and iniquitous an engagement.

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For let me implore you to consider what it was which we fondly hoped that this negociation would obtain for us, and what it has, in fact, surrendered. "In the name of our country," such are the memorable words of our unanimous Address, "in the name of our country, and on behalf of the interests of humanity, we entreat that the immediate and total abolition of the Slave Trade may be solicited from all the sovereigns of Europe. No moment, we think, was ever yet so favourable for stipulating a joint and irrevocable renunciation of these barbarous practices, and for promulgating, by the assembled authority of the whole civilized world, a solemn declaration, that to carry away into slavery the inhabitants of unoffending countries, is to violate the universal law of nations, founded, as that law must ever be, on the immutable principles of justice and religion." This was the demand of Great Britain, her only demand; and even in its failure, how proud the recital, how cheering the remembrance! These are the objects which we hoped to have accomplished, by the exertion of all our influence, and at the price of all our acquisitions. The negociations are now concluded. The peace is made: our conquests are restored: and what is the return? A joint declaration of public law, proscribing, for ever, this enormous wickedness, in the name of all those just and powerful monarchs whom Providence has made the arbiters of Europe? An ignominious and irreversible sentence passed on it by universal acclamation, and banishing from its last refuge in the commerce or colonies of any Christian government? Such were our hopes. But we receive, instead of these, a partial contract, by which the British crown has sanctioned and guaranteed the Slave Trade! We find our own sovereign made the accomplice, our free and happy country the instrument of its revival and extension! By our own act we consign to misery, by our own hands we deliver up again to slavery and death, thousands, millions, to whom our protection was already pledged, and whose voice, perhaps, in this very moment, is lifted up to Heaven for blessings on our humanity!

On this government, with shame I say it, on this government, and on that of France alone this dishonour has fallen.

The courts of Vienna, Petersburgh, and Berlin, are silent; but England and France have spoken: France has proposed, England has consented, not to abolish, but to revive; not to prohibit, but to extend these horrors. And the world has seen, and seen for the first time in the history of these mighty monarchies, the sacred seal of their sovereigns affixed to an instrument which at once proclaims the infamy of the crime, and guarantees its commission.

What an example does this exhibit—what a lesson does it teach to their subjects! His most Christian majesty concurs with the King of Great Britain in considering the Slave Trade "as repugnant to the principles of natural justice." This is their solemn avowal, this declaration they invoke the Almighty to witness: in the name of the Holiest, this treaty proclaims it to the world! Every sacrifice of liberty, therefore—for the consequence is irresistable—every sacrifice of liberty which this detestable traffic has produced, these just monarchs consider as a robbery; and every sacrifice of life they consider as a murder in the eyes of God and man. What follows? That they proscribe it, that they punish it, that they unite all their efforts to banish such wickedness for ever from the world, or, at least, to keep their own subjects clear and unspotted from the pollution of this enormous guilt? No, my lords; the one demands, the other sanctions its revival: the one requires, that for five years together, the earth may groan under this oppression; the other delivers over to him, for that express purpose, regions and climates of the globe: provinces, by your interposition, long since exempted from this scourge, nations already restored to freedom, a whole race and family of mankind, to which the virtue of Great Britain had given security and happiness; but now, by her hand, replunged into miseries, from the bare image of which the blood recoils, and the heart of man revolts.

Of the person of any foreign prince, of the acts of any foreign government, we should all wish to express ourselves in this place with becoming deference. For the present sovereign of France I have many strong inducements to feel high personal veneration. But if any words of mine could find a respectful access to a monarch in whose restoration to the throne of his ancestors no man has more truly rejoiced than I have, I should not fear in such a cause to speak to him with unqualifying freedom, both of his situation and his duties. To him so long the victim of triumphant iniquity, no hope of repose even yet remains but in the prevalence of justice. No stranger himself to misfortune, on him the wretched have a double claim; a signal instance himself of the protection of Providence, on him the obligations of mercy press with accumulated force. To be driven from his native soil, to wander in exile, to eat the bread of dependence, to see his country enslaved, his friends proscribed, his family destroyed, and all that he had ever valued, or loved, or reverenced, made the sport and prey of rapacious avarice and savage cruelty; this has been the bitterness of his lot. With what feelings then must not he consider the fate of thousands torn like him from their country, but with circumstances how much more dreadful: severed like him from their families, or still more unhappy in the community of suffering: lamenting like him the destruction of all that was dearest to their hearts, but not finding, as he found, any respite or intermission of calamity: captives in an unknown land, toiling for the profit of their oppressors, wasting in hopeless slavery the unhappy remnant of their days, and entailing on their children the same unmitigated misery. To be preserved from the bloody machinations of those, by whom his house had nearly been extinguished, to be redeemed from his long banishment, to be restored to the wishes and prayers of his people, to find in their love the reward of all his sufferings, to deliver them in return both from military despotism and foreign invasion, to be the channel of peace to his own country, and security to Europe, and the instrument as we trust of long blessings to mankind; these are the mercies which were reserved for him by Providence. On whom then, if not on him, is it incumbent to hear the prayer of the friendless, to listen to the sorrowful complaining of the captive? Whose feelings, more than his, must shrink from authorizing the infliction of misery for gain? Who more than he must tremble to habituate his people to fresh cruelties, to open to them new paths of blood-guiltiness, and to provoke after all their sufferings the unexhausted judgments of heaven, on this deliberate, hardened, unrelenting barbarity?

Well therefore may we credit the assertion which is made in his behalf. With full assurance may we believe how great must have been his reluctance in subscribing this opprobrious article. It must be so. His sympathy for affliction, his inborn worth, his moral and his religious principles, and his full knowledge of this subject, derived from long residence in England, have doubtless implanted in his breast an indignant abhorrence of the Slave Trade. Would to God that he had acted on his own impressions! That he had followed the dictates of his own feeling heart! No present convenience, we may be assured, would then have been accounted paramount to a moral duty: no speculative profit in crime, no pretended necessity for robbery and murder, would then have been suffered to stigmatize, with the revival of these dreadful iniquities, the happy æra of his restoration. Pure and unqualified would then have been the rejoicings of good men in that blessed work of general pacification to which his re-establishment alone could give the stamp and seal of permanence. The acclamations of Europe, the prayers of France for his prosperity, her sacrifices of praise and thanksgiving for peace restored, and liberty secured, would then have reached the skies unmixed with the cry and clamour of blood, unpolluted by the groans and shrieks of millions of human victims destined to the sanguinary altars of a remorseless avarice.

But, if he, in opposition to his own better judgment and feeling, has yielded to prejudices still perhaps too prevalent in France, if the government of that unhappy country has not yet learnt from all her sufferings to respect the freedom and life of man, if any portion of her people in utter ignorance of the extent of misery created, and the enormity of wickedness guaranteed by this article, has brought itself to desire, to approve, or even to endure its stipulations, yet from our own ministers other things were to be expected. They had no prejudice to encounter, no opposition to surmount. Far different were the demands of the British parliament—far different the sanguine expectations of those for whom they negotiated. By what plea then, by what palliation could they be reconciled, by what imaginable motive could they be rendered parties to this iniquity? They, the organs of a people, unanimous in its condemnation, apprized of all its horrors, impressed with all its guilt, foremost in removing its pollution from ourselves, and waiting with confident but impatient hope the glad tidings of its universal abolition. Is it possible that they alone, of all the inhabitants of this country, could view with indifference the revival of the Slave Trade? Is it in the avowal of guilt that they have found an apology for its commission, or have their feelings of just abhorrence for this sanguinary cruelty been satisfied by the pretended shortness of the period for which this article professes to authorize its continuance? For five years only—Will this be their apology?—For five years only France demands, and England sanctions the renewal of these crimes! Five years only of injustice and rapine, of blood and desolation laying waste a whole quarter of the globe. What a consolation to resort to, even if it were well founded! But does any man on earth believe that the expiration of this horrid lease of guilt, will really produce the extinction of the crime? On what does he rely? Will he trust to the good faith of a stipulation which is itself an open disclaimer of all moral obligation? Or are we yet to learn that this pretence of postponing the execution of their engagements is the stalest of all the artifices under which faithless politicians mask, but without concealing, the determination to evade them. The violations of such promises to whom are they not familiar? But in what history shall we find the example of their observance? In its ordinary form a treaty of peace executes itself: its cessions are conditional, its restitutions gradual, its advantages reciprocal. But stipulations such as this what is their value? Vows of future amendment coupled with present perseverance in guilt, sacrifices promised to be made when the danger, which extorts them, shall have ceased, and solemn assurances of future liberality and justice, for whose accomplishment we are to wait till avarice shall have been satiated with rapine!

And yet there is no other ground on which we can build our hopes. Will delay facilitate their attainment? Do we look hereafter for events more fortunate, for circumstances more favourable to our influence than these which we have now neglected? Or do we expect to obtain, five years hence, by the spontaneous concession of France, that renunciation of felonious profit which neither peace, nor commerce, nor augmented territory have purchased from her, which she has refused to the united authority of all the greatest European nations, to the memory of her own calamities, to the sense of her own deliverance, and even to the most urgent considerations of present political expediency?

She has at this time no Slave Trade. All her present interests are prejudiced by its revival: she sacrifices to this iniquity the strong, the just claims of her trade, her manufactures, and her agriculture. Her commercial capital exhausted by her long miseries is wholly insufficient for the calls of domestic industry. By diverting it at this moment to distant speculations, by embarking it in hazardous and ruinous enterprises, she must retard her own progress in recovery. This abuse of her remaining strength—this improvident misdirection of vital power, must prolong both the symptoms and the consequences of disease. In her colonies the mischief will be still more sensible. There, by the operation of British laws, this wickedness had long since been prohibited. Her planters have conformed themselves to its abolition. That just and beneficent measure has introduced into their islands, as into our own, new modes of culture, and new systems of internal management. By its natural and inevitable effects it has meliorated the condition of their slaves. A blessed consequence of a righteous act! A just reward of mercy, pouring balm into the wounds of those wretched victims, and giving to the colonist, for whom they labour, a confidence and security which nothing else could ever have afforded: a security to him against those perils which the just laws of nature have inseparably annexed to unrelenting oppression; a security to France herself against the recurrence of those unmeasurable calamities which have already overwhelmed in irretrievable ruin the richest of her foreign settlements. How blind then is the rashness of her government—how desperate the danger which it incurs in seeking to tread back this first step in the progress of civil society! How unnatural, how impious is the attempt of her planters again to barbarize the cultivators of their soil, and to re-plunge, into savage ferocity, that unhappy race on whose submission they themselves must be dependent for their daily safety! To exalt the condition and character of mankind, to promote their moral improvement, and thereby to increase their social happiness, has in all ages been esteemed the best work of wisdom and virtue, the highest glory of statesmen and legislators; but to degrade, to debase, to vilify our nature, to turn our fellow creatures back again from that rank which they have already attained in the scale of human beings, what labour more dishonourable can employ our faculties or occupy our thoughts—what project more detestable has avarice ever conceived or power adopted?

And yet it is not in the West Indies only, but much more in Africa, that this iniquitous stipulation must operate to this revolting consequence. In those countries what might not France have achieved? That long line of coast which we have replaced under her dominion, that immense tract of continent over which we have made her influence again predominant, what a theatre of glory, what a scope for noble enterprise do they not present? What benefits might she not have secured to them? What profit, what strength, what unperishable praise and gratitude to herself. Under the happy auspices of the abolition of the Slave Trade, and by the noble efforts of this country, consequent upon that measure, civilization had already made in Africa no inconsiderable progress. A just and innocent traffic, tending to our common advantage, supplying our mutual necessities, we had already opened with that continent. To France the same path was obvious; pointed out, not more by our example than by her own interest. Emulating the virtue of Great Britain and sharing its great reward labouring, with much less difficulty and with much surer success, in that ample field which we had already cleared and purified from the contagious atmosphere of guilt, she might have reaped instead of scattering the rich harvest of our exertions. The arts of industry, the kindly and benevolent intercourse of social life, she might have opened to those countries; the reciprocal gains of legitimate commerce, were placed within her own reach. What infatuation is it to have relinquished all the profit and all the glory of this course for that nefarious and wide wasting iniquity, which by a just retribution of Providence is scarcely less destructive to its instruments than to its victims; for a traffic which brutalizes the character of man, for a navigation murderous to more than one half of the sailors who embark in it, and for a system of culture tending inevitably to ruin her planters, and to desolate her colonies!

Such are the considerations which might have been presented to those with whom we treated; considerations founded in justice, supported by policy, and confirmed by our own example. These arguments we might have urged, and if urged with zeal, could they in this negociation have been urged in vain?

But how different will be the case when the Slave Trade shall already for five years have been re-established in France. How many new obstacles shall we ourselves have then raised up against our own wishes! How much greater difficulties than those to which her sovereign has now reluctantly yielded, how much more formidable an opposition must he then surmount for redeeming his plighted faith and executing the tardy purpose of his justice! With peace abroad, with domestic tranquillity, such as all good men wish to her, how much in that period will her trading capital and credit have increased? A pleasing prospect, and animating hope to those who have learnt to desire the prosperity of other nations both for their sakes and for our own. But under the accursed influence of this article, with the growth of wealth, the growth of crime will keep pace. Before five years shall have elapsed how much property will, by public encouragement, have been embarked in this wicked traffic; how many trades, how many manufactures, how many establishments, will have been connected with it; how many new and extensive interests created in its support?

We know, our own memories will but too well suggest them, what arguments will then be employed to defend these barbarous crimes; with what pertinacity and vehemence of zeal the slave dealer will then uphold his detested occupation. But it is from the fatal contract which we are now considering, from the treaty which a British parliament is now required to approve and ratify, that he will then derive his principal support. In this arsenal his strongest weapons will have been forged. Against the authors of this article he will use them with irresistible effect. That commerce, for the revival of which the state has stipulated, cannot, he will say, be in itself iniquitous. Those gains,—thus he will argue, and in what manner shall his government reply to him?—those gains which you have with such anxious solicitude secured and guaranteed to us for five years it cannot afterwards be the interest of our country to renounce. That benefit which a rival power was compelled to yield in the close of successful war she must not be suffered to extort from us in peace. Her hypocritical condemnation of a trade, to the revival of which she was herself a party; her interested remonstrances against the morality of her own bargain and covenant, her appeals to that religion which she now proclaims herself by her own engagement to have violated, all these can produce in our minds only an increased conviction of the importance of the advantages which she desires us to abandon. You must preserve therefore, he will exclaim, addressing his own legislature in clamorous demands for injustice, in pathetic supplications for cruelty, such as have often resounded within these walls, you must preserve from this impending ruin your trembling merchants, your despairing manufacturers, your planters already struggling under distress and difficulty. The labouring population of your colonies (for by some such smooth term he also will have learnt to soften down the revolting image of a death-like slavery,) the labouring population of your colonies must be kept up, their culture maintained, their produce increased. Thus only, he will assure his government, can the proprietor subsist and the colonies flourish; thus only he will add, re-echoing the confident assertions of British cruelty, but forgetting their decisive contradiction in the happier experience of British justice; thus only can the mother-country derive from her dependencies a just retribution of commercial wealth and maritime strength.

But still more powerful will be his appeal to the change which this treaty will already have produced in the condition of those settlements themselves. The law of abolition, which in its continuance would now be profitable to the planter, must then, he will truly say, impose upon him by its re-enactment, renewed and increased sacrifices. The revival of the Slave Trade will already, by its blasting and malignant influence, have poisoned the growing promise of a more merciful system. For keeping up a servile population, foreign supply is incompatible with domestic increase. They rest on opposite principles: in their progress they obstruct, in their operation they counteract each other. The basis of the one is humanity, if to the increase of slavery in any form that term can justly be applied: its necessary consequence—we have now learnt it from experience, as well as from reason—its necessary consequence is a gradual improvement in the condition of the slave. The other is built on cruelty, on pure unmitigated cruelty; it admits no qualifying principle, it bars up all progress to good, it is supported only by a continual accession of evil. This is the system which a British treaty will already have re-established in those colonies; a system in itself nefarious, in its consequences still more detestable. A chain and succession of misery and crime; the cause evil, the effect worse, and each, by a re-action which daily grows more terrible in its increase, continuing, re-producing, perpetuating the other! New importations from Africa, a new waste of life in the islands, a new demand for fresh slaves; new sufferings, new fears, new cruelties: the planter overwhelmed with debt, his capital unprofitable, his produce depreciated; yet his increasing expenditure still demanding more extended culture, and that again requiring the farther accumulation of the miserable victims from whose unmitigated toil it must be exacted; the overseer in the mean time regardless of their condition, the proprietor estimating his gains only by the increasing severity of their labour, and those wretched beings themselves sunk in hopeless despondency, or rendered ferocious by despair.

And Africa—Africa my lords! Will she, even if this horrid cruelty could cease at the expiration of its stipulated term, will she then be re-placed in her present condition? Will years, will centuries repair to her the aggravated miseries heaped upon her by this wicked stipulation? It can never once have entered into the hearts of those who framed it, to conceive the wretchedness to which they have delivered over so many millions of unoffending beings, clinging with vain hope to the protection of Great Britain. We talk of reviving the Slave Trade, as if we were about to re-establish only those evils, dreadful as they were which have before existed; as if the cruelties now to be perpetrated would bear any resemblance or proportion to any hitherto experienced infliction of human misery. We talk of carrying it on for five years, as if that long period of crime could also circumscribe within the same limits the permanence of its terrible consequences. But let no man so deceive himself. In comparison with the suddenness, the extent, the enormity, and duration of the sufferings created by this article; the past wickedness, even of the Slave Trade itself is humanity and mercy. This will be no ordinary traffic in the misery of man; no continuance of woes to which the wretched condition of that country had already been accommodated; no regular balance of demand and supply, such as cold calculators in the blood of their fellow creatures had established for filling up that annual waste of human life which their cruelty occasioned. It is the dreadful character of this stipulation to convert charity itself into oppression; and to render our past benefits the instruments only of aggravated torture. The former prohibition of this horrid traffic, a blessed gift of mercy as we fondly hoped to those unhappy countries, will now become a principal cause of their miseries. Seven years of security and freedom will have prepared them only to feel more keenly the severity of this renewed infliction. The hopes which we had taught them to cherish of perpetual exemption from this cruelty, the efforts which we had made to efface from their remembrance its last vestiges of crime and woe, our endeavours to train them to better habits and happier feelings, the influence of our exhortations, the benefit of our example, the arts, the knowledge, the virtues of our country which we have laboured to diffuse among them, what will all these be, but new sources of misery to a people among whom the Slave Trade is about to be re-established? Re-established did I say? Among whom it is about to be carried to an extent unimagined in any former period of their sufferings. Fresh crimes, multiplied calamities, must now compensate for the short respite yielded to them by our humanity. Increasing cruelties will be required to fill up that void and deficiency of guilt, which it was once our boast to have created, our delight to contemplate. Even the expectation of future abolition, the vain and illusory promise of this treaty, ineffectual to any good purpose, nugatory in the eyes of the statesman, offensive in those of the moralist, will yet powerfully contribute to stimulate the exertions of the slave dealer. To compensate for the past suspension of this wickedness, and to prepare himself for its future prohibition, to gorge the cravings of avarice so long kept from its prey, and to provide against the threatened interruption of its horrid feast, will be his unremitted employment throughout the whole duration of that terrible period for which you have suffered him to range at his pleasure over this field of blood. No former scale or proportion of guilt will regulate his present efforts. The population of Africa will be drained, the markets of America glutted with human victims. Those cruelties which stand recorded on your journals, and whose recital harrowed up the souls even of the most unfeeling of mankind, all these will not be revived only, but multiplied an hundred-fold by the operation of this treaty. What will not Africa suffer from a sudden demand for slaves following the long suspension of this Trade, and infinitely exceeding the utmost amount of any former supply? To what extremity of wretchedness will not the miserable population of the islands be reduced by an immense and speculative importation, calculated only on future contingencies, but with no reference to any present want, or any present possibility of profitable employment! Imagination can scarcely conceive the extent of evil let loose upon mankind by this inconsiderate and barbarous concession; the varied and accumulated woes to which it subjects an unfortunate and defenceless race in every stage of their long career of misery. All that you have ever read or heard, or pictured to yourselves, of the past horrors of the Slave Trade, will fall far short of these calamities: calamities now suspended over these unhappy victims as by a hair, a tempest and hurricane of destruction ready to burst on their devoted heads; rending asunder every tie of social or domestic life, involving in one common ruin every principle which operates to the consolation or happiness of man, and leaving to them on earth one hope only—the hope of your interposition and protection.

God grant that this interposition may be immediate, this protection effectual! Great as these evils are, I confidently hope that to repair them is still within our power. That we might have prevented them, that we might in this treaty have accomplished to their very utmost extent the fondest wishes of our country; who is it that even pretends to doubt? We were masters of the negociation. Its success depended wholly on our own fortitude. On us the duty was cast, to us the trust had been committed, of banishing for ever from the world these heart-rending miseries. In this cause the example of Great Britain was all-powerful, her sentence decisive, her determination final. With her it rested to do justice to Africa. Urged by her voice, the claim was irresistible, conferred by her hand the benefit would have been complete; its influence co-extensive with the evil, its permanence secured beyond the possibility of change. This is the high station which she might have occupied, this the unfading palm of glory, which by the result of her long efforts against injustice and tyranny, had finally been placed within her reach. What work of power can be conceived more dignified, what honour brighter, what delight more elevated? In this great æra of the re-establishment of Europe, it was her's still farther to diffuse the happiness, to extend to other quarters of the globe the exultation of mankind; it was her's to exhibit to the admiration of the world, the inhabitants of these distant regions as parties in the proud triumph of national independence, to lead them on with willing steps in our joyful procession of victory, and to present them with humble thankfulness an acceptable offering to the throne of mercy; not as captives, but as redeemed; not as the victims of ambition and avarice, polluting our rejoicings by the cruel spectacle of their aggravated wretchedness, but as our fellow creatures owing to us their happiness, and dating from our successes the completion of their own deliverance. This we might have done: what we have really done I forbear to repeat. The remembrance is afflicting, the recital humiliating.

And let it not be imagined that I am speaking to you, now my own opinion only. That the immediate and total abolition of the Slave Trade might in this treaty, if pursued with zeal, have been with certainty obtained, is, unless I am greatly misinformed, the general sentiment of all who are conversant in foreign negociation; the concurrent and decided judgment of enlightened statesmen in every country in Europe. But if any man denies it, let the papers which I this day move for be laid before us. Their evidence will be decisive. Even the very fact of their production would afford some presumption of sincerity, some ground to hope that error or misfortune only have been the occasion of this failure, something to counteract that first impression of criminal indifference which the present appearances of this transaction have unavoidably and universally produced. Should this communication be refused, should all other information be denied to us, I leave it to your lordships to pronounce what conclusion the concealment authorizes.

For in truth, my lords, this is no subject of diplomatic mystery. It is not by secret intrigue, by underhand artifice that we shall ever advance, much less accomplish, this noble undertaking. Whatever has yet been achieved in resistance to the Slave Trade, has been the result not of concealment, but of publicity; the fruit of open discussion, the victory of public opinion. To this, under Providence, we are solely indebted for past success; to this alone it is evident we must now look for final triumph. In courts and cabinets, it appears, these cruelties find acquiescence and connivance; in the conventions and treaties of governments, it is thought not unbecoming to grant a licence for crime, to assign a stipulated period for robbery and murder. And if the British parliament and people, animated with juster feelings, still ardently desire the final abolition of the Slave Trade, one course alone remains to us. Let us tear off from these iniquitous compromises their affected disguise, and expose to the indignant censure of mankind all those persons, be they who they may, who perpetrate, who authorize, who sanction that wickedness.

In this case, indeed, every attempt at concealment is nugatory. We already know too much to be deceived. The official papers may be denied to us, the substantial knowledge cannot be withheld. Judge for yourselves. Examine those circumstances which are notorious to the world, look at the merits of this cause, consider the advantages by which it might have been supported, reflect on the situation in which it has been abandoned, and then pronounce whether it be possible that this dishonourable stipulation for guilt, if firmly resisted by Great Britain, could ever have been imposed upon us by France. No such apprehension was felt by parliament, when the unanimous addresses of both Houses were voted; none such was hinted by your government, none such was found to qualify the solemn assurances which we received from the throne. Armed with these authorities, and in such a cause, what difficulty could a British negociator experience? Impressed as he should have been with the magnitude of his trust, and reverencing as he ought to reverence the legislature of his country, he would have left, in this case, no opening for denial, no opportunity for debate. The voice of a free people, unanimous in the demand of justice, is imperative, he would have said, on all its public servants. I come here to obey, not to violate, the orders of my sovereign; to execute, not to defeat, the intentions of my country. Never will I be brought to dishonour both, by making them the active instruments of an iniquity which they abhor, and which they have declared their purpose for ever to extirpate from the world.

In the circumstances of this treaty, what answer could France have made to such a declaration? We negociated in the hour of victory. Her colonies were in our hands; her American islands, her African settlements; the objects and the theatre of these crimes. By the injustice of her ruler, all Europe had been leagued against her. Our own army occupied her southern provinces, the armies of our allies her capital. England had nothing to ask, and every thing to restore. Parliament had desired only to stipulate for justice; and we have not obtained it even by the sacrifice of all our conquests!

Our demand was supported by the powerful influence of our allies. Why did we ourselves abandon it? I am confident it will not be denied that their opinion, that the opinion of the emperor of Russia, most particularly, was plainly and forcibly expressed in decided concurrence with the wishes of the British parliament, and in favour of immediate and universal abolition. Into the hands of those powers, and into our own, by the astonishing reverses of these two last years, the fate of Europe had been committed. With them, and with us, it rested to dictate the just conditions of honourable peace. I speak not of unreasonable demands, insulting to the dignity, or injurious to the independence of France. Against these, a just and successful effort of national resistance might still have been excited. But such claims as moderation and equity would sanction, wisdom and virtue recommend, her government had no power to refuse. Her armies were for the time subdued, her military tyrant was dethroned, her people wished for peace, and her situation demanded it. The very stipulations of this treaty itself, all except the article which we are now considering, would prove, beyond all power of denial, even if the fact were not itself notorious, that she concluded it under the pressure of strong necessity, enforcing the obligations of right. She has made by it large sacrifices of unjust dominion and power; she has relinquished her usurpation of provinces, kingdoms, and empires; she has renounced, for ever, I trust, renounced her impious project of universal sovereignty; she has withdrawn herself nearly, for the sake of example and justice, I would it had been wholly within the boundaries of her former territory. Why is it, that of all the crimes with which she had visited the earth, our indulgence has only been extended to the Slave Trade? Were her other concessions purely voluntary? Did repentance, did justice alone dictate them? By the fall of an ambitious and rapacious usurper, her councils, we may well believe it, are become more moderate. We give full credit to the better dispositions of a legitimate and virtuous monarch. But was it by his discretion that the conditions of this treaty were regulated? Was he enabled, by the situation of his country, to select and to apportion the sacrifices which she has made, in atonement of so many years of guilt, and as a just and necessary peace-offering to mankind? Is nothing to be ascribed to the predominance of a victorious league? Nothing to the indignant resentment of so many nations, stimulated by long suffering, and intolerable insult, to an unanimous and irresistible effort? Had the days of Leipsic and Vittoria, had the triumphs of the Russian or the German sovereigns, had the trophies of our own illustrious commander no weight in this negociation? And to what purpose more honourable to him, to what purpose more glorious to our country, could the achievements of British valour be applied, than to the maintenance of this proudest work of British justice?

Those, on the contrary, who have thought it lawful to sanction, by this article, the revival of the Slave Trade, those who now applaud the policy, or acquiesce in the supposed necessity of that dishonourable contract, must believe that France had still the power to maintain iniquity by arms. There is no other ground on which it can be defended. I ask, then, if that was her situation, why do we boast of our forbearance? On what ground do our allies lay claim to the praise of moderation? Is it not from the consciousness of superior force? Let no man suppose that I would justify, much less advise, the abuse of that superiority. All just men, all wise men, would deprecate it. Leagued for national independence, and triumphing over unprincipled ambition, it would ill-become the sovereigns of countries so recently delivered from invasion and subjugation, to employ their re-established power in projects to despoil others, or to aggrandize themselves. The means, the circumstances of their deliverance, authorize no such attempts. God forbid! The triumph of justice is no foundation for robbery: the blessing of Providence on self-defence, affords no encouragement to aggression. But our preponderance, I repeat it, was irresistible in the cause of right. Can you doubt it? Once more I entreat you, look at the treaty itself. Our allies, in all that they could reasonably ask from the common enemy, (such she then was, but now I trust no longer so to be considered,) have fully succeeded. They forgot resentment, they disclaimed ambition; justice they required, and justice they have obtained. In every other instance, to every other power in Europe justice has been rendered by France: to Great Britain only she has refused it, and on the single subject of this article! What man really believes that, if urged with equal earnestness, this point alone was unattainable? What credulity will acquiesce in the pretence, that to extort from France the surrender of her conquests was easy, to dissuade her from the revival of the Slave Trade impracticable?

But in this case it belonged to us not to ask but to grant; not to solicit but to prescribe the conditions necessary to effect our purpose. The means of enforcing it were exclusively in our own hands. Our interests, our glory were concerned in its success; to us the right had accrued, by us the claim could effectually have been maintained, by our act alone could it ever have been surrendered. From what settlements in Africa, to what colonies in the West Indies is it, that France now designs to carry on the Slave Trade? What coasts will she pollute with this iniquity, what countries will she desolate, what seas will she dye with blood? Those only which we occupied, those of which, we and our allies were in the undisturbed possession, those to which no access could possibly have been opened to France, but by the intervention of Great Britain.

An exception, I am told, is to be made to this assertion, the exception of St. Domingo; a name at the very sound of which any man should sink into the earth who has made himself a party to the revival of the Slave Trade even for an hour! Of that exception I shall presently speak. All the other colonies of France were in the hands of the allies, and all her settlements in Africa were occupied by ourselves.

Why then were all these surrendered without stipulating the abolition of the Slave Trade? What pretext can be found for this gratuitous sacrifice of justice and honour? What motive could recommend to those, who administered the interests of Great Britain, this wanton violation of her most sacred duties? I condemn not the restitution of our conquests. In this great settlement of the interests of mankind, it was not fitting that we should struggle to retain these acquisitions either for profit or dominion. I wish only that we had made them the pledges and security for justice. It is the interest of Great Britain that wars should cease; that the independence of nations should be respected, their governments secure, their rights inviolable. Our possession of the French colonies gave us a decisive influence in this negociation: to the peace and freedom of Europe it was fit to apply that influence; and if it shall be found that by their cession those objects have been secured, I do not hesitate to applaud it as just and advantageous. But could we not at the same time so qualify our grant that it should neither operate to the destruction of others, nor work our own dishonour? If we were liberal to our enemy, if we were generous in our concern for other countries, was there no claim upon us for justice to those to whom our protection had been pledged? In their case we have not only violated our own peculiar duties, we have departed even from the established practice of all civilized nations. In every other instance of restitution or surrender which, for centuries, has been negociated in Europe, in every other article by which this very treaty transfers the possession of any territories, provision has always been made for the security of their inhabitants. No other individual of any countries ceded or restored, can be disturbed or molested in person or in property. In Africa only, whole nations are avowedly consigned by this surrender to plunder and massacre: in the hour of triumph only, under the awful impressions of her own recent dangers, and as a return to heaven for her own deliverance, Great Britain has sacrificed those whom the events of this long protracted contest had committed to her protection. It is on the eve of returning peace, in the very moment in which she proclaims tranquillity and security to the world that she has by her own spontaneous contract sent over a whole continent this fiery brand, the harbinger of perpetual desolation.

I reflect, with deep affliction, that this humiliation and guilt, if it could have been apprehended, might have been prevented by your lordships. The Address which has this night been read, and the assurances which we received in answer, do indeed, even as they now stand, appear to me sufficiently expressive of the just expectations of parliament, and of our country. Our own demand for an immediate and total abolition of the Slave Trade, and the promise of our government to labour earnestly for that object, are not easily reconciled with a gratuitous agreement for the continuance of that wickedness, still less with an active interposition for its revival. But the debt of justice might, I acknowledge it, have been still more unequivocally claimed. Had our Address expressly demanded from the crown, and in such terms as should have excluded even the possibility of cavil, that none of those colonies or settlements, in which our country had for ever prohibited the Slave Trade, should be yielded up again to any power on earth without a stipulation ensuring to them the continuance of that blessing, what member of a British House of Lords would not zealously have supported it? Had the just claim and right of parliament to this acquiescence in its solemn determination been explicitly and authoritatively notified to the servants of the public, what minister would have had the hardihood to disregard them? Our demand must in that case have been seasonably and timely brought forward by those who treated for us; stated in the very outset of the negociations, urged with an earnestness proportioned to its inestimable importance, and annexed, as an inseparable condition, to every discussion for the surrender of our conquests. And who then could doubt the certainty of its success? That this imperious necessity was not imposed upon our government who does not now lament? I grieve for the omission, its consequences I shall never cease to deplore. They are the more painful to me, because I myself concurred in dissuading this unusual but necessary measure, recommended by the better judgment of others, who far more correctly estimated the impending danger.

How shall I now apologize for my error? How shall I justify to your lordships, or to myself, this pernicious and misplaced confidence? I trusted indeed to solemn and reiterated assurances. I gave credit for feelings congenial with my own. Even in the absence of every sentiment which such a subject should inspire, I still believed that the unanimous wishes of our country, and the general concurrence of mankind, would be of powerful, of irresistible force to prevent the possibility of what has now been done. Such an act I was persuaded could not be in the contemplation of any public men. It could not be their desire to be transmitted to posterity, as the revivers of the accursed Slave Trade. Whatever had been their former conduct on that subject, they could not wish (so I thought, and so I argued) to undermine the noblest monument of the glory of their country, and to annihilate the most extensive work of practical good, which benevolence and justice have ever yet achieved for the interests of mankind. We were told this day, in reference to that great commander, whose victories have added lustre to the British character —and just was the sentiment, and well was it applied—that next to the consciousness of virtue, its purest reward on earth is the recollection of its having contributed to the happiness of our fellow creatures. Who then could believe, that such an opportunity as this would be wilfully neglected for confirming to millions blessings almost beyond the power of man to bestow? Who could anticipate that any British ministers would wantonly expose themselves to the remorse and anguish of reflecting how dreadful both in its present infliction and future consequences, how widely diffused, how long continued must be the wretchedness which they have now created; how many individuals, how many families, how many generations, what incalculable numbers of helpless beings, what an unmeasurable extent of the provinces and regions of Africa, reaching from its blood-stained coasts back to its inmost and inaccessible solitudes, what an immense and fearful proportion of mankind this article, with heedless indifference and cruelty, has delivered up to slavery and death, to misery and desolation!

But I went further. I not only concluded this unqualified surrender not to be in the intention of our government; I doubted, and on mature reflection I still more strongly doubt, whether it was legally within their competence.

Parliament has long since proscribed the Slave Trade, not as a prohibited wrong, but as a moral crime; declared it repugnant to universal justice, and stamped upon it the character and punishment of ignominious guilt. Under what authority then have our ministers assumed, to covenant for its continuance? By what warrant of English law have they compromised and bargained for felony? Where shall we look for that prerogative which the crown itself has exercised in this case? A claim of more than dispensing power; a pretension not to suspend but to abrogate our statutes; an undertaking to subject to a nefarious iniquity those very countries which our legislature had expressly exempted from it! Is it permitted to a British monarch to sanction by sovereign power, to facilitate by regal intervention, and to guarantee by the public faith, crimes, which not only violate our own laws but transgress the eternal boundaries of good and evil? I know not how this assumed pre-eminence of power over right, this open warranty of acknowledged guilt could be defended under any form of government administered by law. But I am certain that there are many and strong grounds for considering it a high misdemeanour against the British constitution. Nor can I discern on what grounds of justice our laws can punish as a felon the man who delivers into slavery a few individuals, if our treaties in the same moment can proclaim impunity to those who inflict this misery on millions!

Will it be pretended that this unlawful act was necessary for peace? No man can believe it. Even if it were so, you would not hesitate to answer that peace is too dearly purchased by the breach of our constitution, and by the violation of natural justice. But how is it possible in this case to listen to such a defence? I will not repeat what I have said of the relative situation of the powers who treated. Look at the subject itself. See the abhorrence with which these crimes are viewed by all who do not participate in their iniquitous gain; and then decide what credit is due to those who insinuate —they have never ventured to assert— that the revival of the Slave Trade was made by France an indispensable condition of peace. The fact is utterly incredible. The papers which I now move for would, I am confident, disprove it. Our reason rejects it, our feelings revolt at it. Could such a menace, brought forward in this negociation, and for such a purpose intimidate any British agent into a submission which dishonours our national character? What could he fear in such a cause? The voice of our own country? The spirit of France? The opinion of Europe? Or that righteous judgment on which the issues of war depend? After the honourable labours of twenty years, was this a yoke to which Great Britain should bow down her neck in victory? We had arrested by our unshaken perseverance the long progress of iniquity. Fearless and unanimous in the cause of justice, our glorious country had courted the hate of the triumphant oppressor, defied his bitter revilings, and turned back his sanguinary menaces upon his own head. The moderation of our people in success had equalled their firmness in danger. We had tendered to France in in this negotiation more than either justice or reason could demand; we had treated with her not as with an enemy but as with a friend and confederate in the war; we had offered to her the restitution of all her colonies, we were forward to re-establish her in the full possession of her former territory and power, formidable, too formidable, as experience had already proved them, to our own tranquillity and to the independence of Europe. Notwithstanding all that we had suffered from her injustice, and all that we might still fear from her ambition, we had laboured to secure to her the same rank among the nations, the same authority and weight which she before possessed in the well-balanced system of European power. This was the general sentiment, the universal desire of our country—no longer the enemy but the friend and well wisher of France. What an insult would it have been had she told us in return, take back your proffers; your sacrifices of present advantage we reject, your pledges of future friendship we disdain, rapine and murder are the concessions we require at your hands, by your own guilt only can our hostility be appeased, no peace offering is acceptable to us unless it be steeped in the blood of our fellow creatures! It cannot be. This desperate and overbearing insolence, this insatiate thirst for war, this longing appetite and craving for blood might characterize the former tyrant of France: they are directly opposed to the virtues of her present sovereign. Still less can we believe that so monstrous a declaration could be extorted from him by the opinion of his people. Did they still sigh for war? Was this an object for which, in the hour of defeat and danger, they could be reconciled to the continuance of their sufferings? What consolation would the slavery of their fellow creatures offer to them for a conscription desolating their own families? What would it profit them to purchase, by the destruction of France, the right of ravaging Africa?

But suppose them still unsatiated with misery. Grant that they wished once more to challenge the world to arms for the maintenance of wrong, that they panted to range themselves under this bloody standard. How was the contest to be supported? By the strength of France? It had in that very moment been tried in the balance and found wanting. Would the justice of this cause, would its humanity entitle it to the favour of other powers, or call down protection from above? I have heard of many bad reasons for undertaking and continuing war. Governments have in every age been too prone to this terrible extremity; too easily have all nations been inflamed to mutual slaughter by the evil passions of their rulers. But a war for continuing the Slave Trade! A resort to arms for permission to violate the principles of universal justice! An appeal to heaven for its blessing on the righteous cause of robbery and murder! Is this what our government have feared? On this ground have they distrusted the long tried fortitude and magnanimity of their country? To this danger have they surrendered up our principles and honour; to fly from this have we incurred the disgrace, not only of sanctioning the most flagitious wickedness but of appearing to sanction it for gain?

For it is useless to dissemble it. Such must inevitably be the judgment of other nations on this treaty. It has secured to our country commercial profits, and colonial acquisitions at the expense of France; inconsiderable in value, I admit it, but still sufficient to brand our national character with the dishonour of interested guilt. To France the renewal of the Slave Trade is conceded, into her hands we deliver up the wretched inhabitants of Africa, and from her in return we receive back these advantages: the contract is reciprocal, the transactions simultaneous;

included in the same treaty, never will they be separated in the opinion of mankind.

In vain, then, is the alternative of war suggested to us. In vain, are we asked, whether the renewal of hostilities would not have been too dear a price for our innocence and honour. I hope no member of this assembly so considers it. But never was this negociation brought to any such issue. Before the question of war could arise, the question of acquisition must be disposed of. We have consented to revive and guarantee the Slave Trade, not because we feared war, but because we thirsted for more extended possessions. By the sacrifice of these we might have preserved both peace and innocence. Such will be the just judgment, both of the present time, and of posterity; the opinion of impartial men in all ages. Had you renounced, they will tell us, your desire of aggrandizement; had you subdued your appetite for power, you might have maintained the glory of uncontaminated virtue. If you could no otherwise refuse yourselves to a dishonourable contract for guilt, you might have proffered in exchange for it, the abandonment of these acquisitions; an exchange which France most certainly would gladly have accepted. Till that offer shall have been made and refused, whatever present, whatever future advantages you hope for from this treaty, must be considered as the price of blood. It is not lawful to put them into the account of your power, to register them among the honourable possessions of your empire, acquired by a just title, and maintained by virtuous exertions.

Yet, though we have signed and sealed with France this covenant for slavery, though we have trafficked and bargained with her for profit in blood, we shall still be told, that we have made to her no new concession. The whole extent of our grant, it will be said, was already within her power. Without our intervention, she might carry on the Slave Trade; without our sanction, desolate the nations of Africa. If it was so, why, then, did she extort, why did we concede this article? A gratuitous humiliation, dishonourable to us, unprofitable to herself. But let us examine the foundation of this assertion. It rests exclusively on the present situation of St. Domingo. Her colonies in the leeward islands, her possessions in south America, her African settlements were confessedly in the hands of the allies. But in St. Domingo, we are told, she might re-establish the Slave Trade; there she might carry it on to an extent of which no human misery, hitherto known upon the earth, can afford the faintest image. There she might revel in blood, feast on the contemplation of what this wickedness has already produced, and labour, undisturbed, to perpetuate the same horrors for all succeeding generations.

And were it so, yet could this be our justification? Would her crimes sanctify ours? Too often, already, has this wretched plea been urged in vindication of the Slave Trade. I trusted it had been for ever silenced by the victorious eloquence of virtue. Never will the example of blood palliate the guilt of blood. We are not permitted to plunder the traveller lest he should fall into the hands of robbers, or to anticipate, with our own daggers, the murderous purpose of his assassin.

But, in truth, my lords, the case of St. Domingo, so far from lessening, aggravates, in the highest degree, the wickedness of this stipulation. If there be, within the whole circle and range of evil created by the revival of the Slave Trade of France, one object more revolting, one danger more terrible than the rest, we shall find them in that very quarter where the advocates of this article look for its apology. God forbid that the project should really be entertained of re-peopleing that colony with slaves! The bare suspicion, the very possibility of such a purpose, so far from teaching us to view, with indifference, the act we have committed, must strike more terror and remorse into our minds, than all that mass of other wickedness, which our connivance in these crimes is about to re-produce. Cold, indeed, must be the sensations of that man, hard and insensible his heart, formed in no common mould, tempered with no human qualities, who can look back with any other feelings, upon the history of St. Domingo; who can recollect the past consequences of such an attempt, and calmly reflect upon the inevitable effects of its renewal. But what Englishman, with such a picture before his eyes, can see, without shuddering, that the revival of the French Slave Trade, the source and fountain of all this misery, is sanctioned by the recognition of his own country, authorized by her public faith, and can be accomplished only by her deliberate intervention and voluntary aid?

On this part of my subject I forbear to enlarge. Much more I should have said, in justice to my own feelings, much more in justice to the cause which I have undertaken, but I am restrained by considerations which I am sure your lordships will approve. I cannot believe, that any such sanguinary purpose has ever once entered into the contemplation of the present sovereign of France. His humanity, his wisdom must forbid it. By a dreadful lesson has that country learnt what torrents of African, what torrents of European blood must be shed in such an attempt, through what a scene of carnage and desolation it must be pursued, what wickedness, beyond all power of language, is inseparably attendant on every stage of its progress, from its first dreadful conception, to the horrid, but unattainable hope of its final execution. These considerations, if the matter were a subject of British deliberation, I should never cease to urge upon the legislature of my country. My tongue must fail me, my hand forget its powers, sense and life itself must be extinguished, before I could cease to call down the indignation of mankind, to invoke the just judgments of Heaven, on the authors of so flagitious an enterprise.

But to whatever quarter it may be intended to carry the unhappy victims of the Slave Trade, whatever be the destined scene of their unceasing and hopeless misery, let it be remembered that from Africa they will be torn: from that continent, whose shores and commerce we have restored to France for the avowed and stipulated purpose of this cruelty. Nearly a thousand miles of that coast had already been cleared of the Slave Trade; and all the adjacent countries rescued from its destructive influence. By us this work had been achieved. We had encouraged the nations of that extensive district to look with confidence to us for the continuance of these blessings. We have now surrendered them up again, unprotected and defenceless, without one thought of provident kindness, without one stipulation of mitigating mercy. We have covenanted that France may replunge their country into barbarism, may pollute it with fresh crimes, and desolate it with fresh wars. We have permitted, we alone have enabled her to carry away its inhabitants into perpetual slavery. This act is ours. We cannot discharge ourselves from it.

It is painful to dwell upon these topics; I will no longer urge them. Your lordships feel them deeply; and if you hesitate to adopt the motion which I shall this day propose to you, it is from no approbation of this article—God forbid you should approve it—but from the hope that, at the ensuing Congress, all its mischiefs may yet be repaired. I trust it will be so. Experience has taught us, in this cause, never to despair? We have, indeed, neglected our most favourable opportunity; we have relinquished a position of unassailable advantage. Unfortunate has been our departure from that course where success was infallible; that course which parliament itself had unanimously advised. Wisely had your lordships recommended, that the abolition of the Slave Trade should be proclaimed at Paris by the united voice of this country and her allies, promulgated in the hour of victory, as a principle of public law, and basis of future peace, and incorporated, as an indefeasible condition, in the great charter of national independence. What facilities, what advantages, would not have attended that proposal? What splendour would not the triumph of Europe have derived from a decree which gave life and liberty to Africa? With what submissive reverence would not the nations have then received this law of justice, this sacred covenant of mercy, at the hands of those mighty sovereigns, clothed, in that hour, with all the power of conquerors, all the authority of legislators, and all the influence of benefactors?

But it is past; that fortunate moment is for ever past. And very different must now again be the situation of this great cause. It must be treated and bargained for by contract, and agreement; obtained by solicitation, or purchased by sacrifice. It is thrown once more exclusively upon Great Britain. She must negociate for it with those very powers who have hithero most pertinaciously resisted it, either from mistaken interest or inveterate prejudice. We must supplicate from France the renunciation of this sanguinary traffic, after having ourselves guaranteed to her its continuance; we must solicit the same concession from Spain and Portugal, who refused it, as we are told, to the earnest entreaties of our government, at a time when our flag alone protected their slave ships, and our arms defended their ports. All this we must accomplish under circumstances of increased and increasing difficulty. The nations will be no longer joined in one common interest, no longer awed by the deep impressions of danger, hardly yet escaped, of deliverance still imperfectly achieved: our own influence will have been lessened, and the union of our allies enfeebled; the countries of the peninsula will have ceased to depend on Great Britain for their safety, the territory of France will have been evacuated by the powers of the continent, and we shall ourselves have ceded back to her those conquests, which, while they remained in our possession, afforded to us sure pledges for the attainment of our object and certain means of inforcing its execution.

Yet, I repeat it, let us not despair. The best of all resources still remains to us, in the firmness and spirit of our countrymen; in their determination and in ours never to submit to this opprobrious wrong. Of ultimate success we can no longer doubt. The indifference, the silence of this House, had it been possible that you could be indifferent or silent in such a crisis, might indeed have been fatal to Africa. The acquiescence of our country in this dishonourable stipulation must have replunged that continent into irretrievable misery and ruin. But the declared and unshaken resolution of the British parliament will henceforth command attention to these sacred interests; the unanimous determination of the British people, that burst of virtuous feeling which has so nobly asserted this great cause, and vindicated to all posterity our national character, are the certain harbingers of victory and triumph.

What part then in such a moment best becomes this House? What share is it fitting that your lordships should take in the exertions, which must still be made, in the glory which still awaits your country? It is for you to lead, not to follow your fellow-subjects in the paths of virtue and honour. It is in your power to give peace and security to millions. Cast not this duty on others. Ascertain, by the investigation of past failure, the best means of present exertion. Redeem, by your own wisdom, the errors of your government. Point out to them once more the way to that final triumph which a compliance with your injunctions would already have achieved; and which, under every disappointment, is still confidently expected from the wisdom and energy of a British legislature, and from the constancy of a virtuous people.

Awful, indeed, is the decision to which we are thus called. On the resolutions which we are now to take, depend the innocence and honour of our own country, the security of millions, the happiness of many generations, the peace and civilization of a whole continent. How shall these objects be best attained? What present, what final determination of this House, will most effectually contribute to accomplish for mankind a blessing whose magnitude no thought can grasp, whose value no imagination can exaggerate? It is a fearful thing for any individual to interpose advice where the consequences of error are so extensive, its effects so fatal. And yet, I feel, that the duty of this day will have been imperfectly discharged if I am silent on this question.

The opinion which I shall humbly offer to you, rests, indeed, on no doubtful grounds. It is founded alike in the circumstances and in the character of our cause. Other measures may possibly prove effectual, the success of this would be certain. You have already abolished the Slave Trade in the French settlements and colonies. You still possess the means of preventing its revival. Never let them be relinquished until that object be secured. This is your sacred duty. If that duty admits of modification and compromise, refer it to negociation. If you desire only to narrow the limits, or to shorten the stipulated duration of that wickedness for which we have now covenanted with France; if you seek from other powers, some pretended mitigation only of this guilt, some illusory hope of its future abolition in return for your sanction and warrant of its present continuance, such endeavours may not improperly be intermixed with the details of territorial and commercial adjustment. But if you reprobate this stipulation as a sacrifice not of profit but of principle; if you abhor the crime which it would bind you to perpetrate, and are fully purposed that no hope, no fear shall ever make you instrumental in it even for the shortest period; in that case justice and wisdom require, your interest and your dignity demand, that you should speak and act with the decision of men conscious of right. Suspend at once the execution of this unhallowed article. Withhold the restitution of your conquests. Persevere in that decision, unseduced by promise, unterrified by menace, until you have irrevocably established the abolition of the Slave Trade.

Great is the importance to every country, inestimable is the value to Great Britain of maintaining inviolate its public faith. But no contract is binding whose performance is unlawful; no treaty valid which stipulates for crime. To fulfil such engagements is in itself a disregard and breach of prior and stronger obligations. This is the concurrent declaration of every moralist; the judgment of reason, the unerring sentence of religion. In doubtful cases only can its application be disputed; how irresistible is its force where our covenant itself contains an unblushing avowal of its own iniquity!

Nor will your lordships by such a resolution over-step the limits of parliamentary duty. Lawful treaties sanctioned by the seal of the sovereign are binding no doubt on the public faith. No man questions it. But against a stipulation which implicates our country in the guilt of blood has parliament no power to interpose? Where can the British nation look in such a case but to that authority on which our government itself is at this very hour established? to that authority which speaks in the name and acts for the protection of all the estates of the people of this realm?

I need not remind you of former instances of such interposition on much weaker grounds. I need not in speaking to such an assembly as this, argue those well-understood and admitted principles which except extreme cases from the general course and practice of all civil institutions. Under that description, I say it with reluctance, under that description falls the question which we are now considering. This is an extreme case; a case where the prior and paramount laws of universal and eternal justice, must of necessity supersede the local and partial obligations of any separate community. On every ground this contract is void. We cannot covenant for crime; we cannot barter away the rights of others; the lives and liberties of the nations of Africa have not been placed by our Creator at the disposal of France and England.

But when I thus impeach the validity of this stipulation and deny its binding force, let it be distinctly understood that my opinion is grounded not on its impolicy, but on its iniquity. We are compelled to refuse ourselves to its execution, not because it must prejudice our interests, but because it would make us accomplices in guilt.

The inexpediency of this engagement I have purposely forborne to argue. It has not the weight of a feather in the balance, when compared with those topics, which I have this day submitted to your feelings. I could not bring myself to dwell on such considerations when the revival of the Slave Trade was in question. Nor could it indeed have been necessary to urge them. They are obvious to all your lordships. You are well apprized what ruinous speculations, this revival of the Slave Trade will infallibly produce in the French islands; you know by what inevitable consequence these must expose your own planters to an unequal and uncommercial competition. You need not be reminded, that the dangers of internal and domestic ruin from the continual importation of fresh slaves, that the example and the influence of such scenes as St. Domingo has exhibited, must, by a dreadful, but infallible necessity extend themselves to your own colonies. You are fully sensible also, of all the embarrassments with which this stipulation will clog the execution of your own laws. How difficult it will be to prevent the application of British capital to this wickedness when authorized by France. How large a portion of this trade will really be carried on in her name by your own subjects; how much of it will be diverted to the supply of your own colonies, under a pretended destination to those with which they are so closely intermixed in the West Indian seas. Nor can you disguise from yourselves or from the world, what a mockery it would be to talk of abolishing the Slave Trade in the settlements of Holland or of Portugal, if you yourselves shall have re-established it in French Guiana.

To these familiar and obvious considerations, your own foresight will already have superadded the painful reflection of the precariousness of peace itself under the stipulations of this article; your wisdom will have anticipated the mutual irritation, the perpetual debate and menace, the final and not remote hostility which must so certainly result from these evasions of laws, whose violation we can never disregard, and from the measures of rigorous, though ineffectual precaution, which must of necessity be opposed to such a danger.

These mischiefs you justly think your government should have weighed, your negociators have prevented in the arrangement of this pacification. No principle is better established in the law of nations, than that which entitled you when you restored to France her colonies, to stipulate, that her possession of them should be so regulated, as not to become, from any intermediate change of circumstances, more prejudicial to your interests than it was before the war.

But never let us forget that these motives, though of irresistible force against concluding such a treaty, afford no ground whatever for annulling it. That determination can rest on one foundation only, the foundation of eternal justice; that act can be supported only by the deliberate conviction, that to fulfil this engagement would be to plunge your country into the infamy and guilt of rapine and murder: that this stipulation binds you not merely to permit, to countenance, to sanction those crimes, but to make yourselves the accomplices and instruments of their perpetration. This it is which has filled your people with horror. They have too plainly seen, that by the hands of Great Britain these victims are delivered up to slaughter. They shudder to reflect, that when inquisition shall be made for innocent blood, it is not from France only that the lives of millions will be required. To offer an asylum to a fugitive in peril of death is in my own choice. I may grant, I may refuse it. But if, when invited and protected in my house, I thrust him forth upon the daggers of his assassins, knowing and seeing that they are waiting at my door resolved and armed for his destruction, if I make myself a party to their bloody denunciations, if I bargain and contract for my own profit to connive at, to abet, and even to aid their cruelty, am I innocent of the moral guilt, am I innocent even of the legal crime of his murder? There is no tribunal, there is no law on earth that would not exact my life in just retribution for his. How vain then is the hope, how impious the belief, that those pretences which are nugatory even in the sight of man, will avail us to evade the unerring justice of heaven, or that the deformity of our own guilt can ever be cloaked by any wickedness of others from the eyes of an all-seeing Providence!

And here, my lords, I close my statement. To this reflection what can be added? And yet I would it were in my power, before I finally submit this great cause to your decision, to exhibit to you not the iniquity only, the blood-stained iniquity of this stipulation (that I fear I have too clearly shewn), but also the full extent of its dreadful and heart-rending consequences. But I know myself unequal to the task. I have no powers of language to detail to you this misery. I cannot paint to you in the dark and terrific colouring of truth the varied and intolerable woes which the Slave Trade inflicts upon its wretched victims; or those unmeasurable calamities with which it desolates the whole continent of Africa. Would to God that I could place them even in their faintest image before your eyes! That you could see and judge the sufferings of any one only among those millions of your fellow creatures in whose behalf I plead! That you could witness the whole course and progress of his misery! The anguish with which he views those fetters which first mark him as the property of a master; the despair with which he enters that ship which is to carry him away a desolate and hopeless captive to an unknown country. That ship, that scene of unimagined miseries so much more terrible in their reality than all that even the terror of that dreadful moment can teach him to anticipate! That ship, which if he unhappily survives the horrors of its pestilential and murderous hold must finally deliver him up to the last extremity of human evil, to a condition of unceasing and unrewarded toil, of perpetual and unmitigated slavery, from which no hope remains, no refuge is left but in the grave. Would to God that you could see the last look he casts, hear the last despairing accents he addresses to his native land! That you could witness the feelings with which he quits that country, the scene of all his joys, the nurse of all his affections; the source of local habits dear to all, but ever dearest to the untutored mind; of social ties rivetted by nature into the heart of man, of all the dearest relations, all the tenderest charities of human life! That you could also view the sufferings which through him are inflicted on those from whom he is torn; on the despairing friend, on the childless parent, the widowed wife, and the orphan children! That you could then follow him through all the stages of his merciless captivity! That you could see the inmost recesses of a slave-ship! That you could even imagine to yourselves the horrors of a slave-market! That you could count the groans, that you could estimate the silent miseries of the plantation slave! His ceaseless labour, his unprotected sufferings, his tortured life, his premature and anticipated death.

From these scenes I would conduct you, if it were in my power to the wider, and still more dreadful prospect of the carnage and devastation of Africa. I would exhibit to you those false accusations, those imaginary crimes, that systematic injustice, perfidy, and violence, which, in those unhappy countries where the Slave Trade is established, form the only sources of commercial speculation. I would shew you the lure of European wealth, tempting the uninstructed savage to the commission of every crime: the superiority of European power, and European knowledge, employed not to diffuse the doctrines of moral truth, or to open to those countries the purer light of revelation, but to prolong, and to extend among them every delusion, wickedness, and misery, with which ignorance and superstition afflict mankind. I would place, if it were possible, before you, that state of universal war which the Slave Trade produces and perpetuates; the wretchedness of nations, the desolation of provinces, the prolonged and hopeless barbarism of a whole quarter of the globe!—That internal and domestic hostility, in comparison with which war itself, public war in its most fearful form, is a happiness and blessing to mankind!—That unexampled condition of human misery in which no individual feels his freedom or his life secure, even for an hour, against lawless strength, or insidious machination!—That dissolution of all society, in which village is armed against village, and family against family, that worse than savage ferocity, in which the hand of every man is against his neighbour!

The long agitation of these questions has, I fear, too much accustomed our ears, too much familiarized our imaginations with these enormities. How else could we support, even for an instant, the recollection that, by our intervention, they are again to be inflicted upon these wretched nations? That every part of Africa must again, from our act, see her villages broken up, her towns sacked, her countries desolated; again see every principle violated, every tie broken, every feeling outraged, which nature has interwoven into the heart of man. The sovereign delivering over his subjects into foreign captivity, the master setting a price on the life of his domestic, the friend armed against his friend, the brother ensnaring the liberty of his brother, the father trafficking in the blood of his children, the husband selling into slavery the partner of his bed!—My lords, if there be any misery in private life which can move compassion, if there be any public oppression and tyranny which we abhor, if there be any sentiments degrading to man, any crimes directly subversive of all those principles in which it has pleased our Creator to constitute the happiness of his creatures, that misery is enhanced, that tyranny aggravated, that degradation is rendered more complete, those crimes more horrible, by the wickedness which this stipulation has covenanted to revive. It was the boast and exultation of our country that she had led the way, however late, to the abolition of this guilt, in which she had so deeply shared. She declared to Africa that she repented her of the evil she had inflicted. And she pledged herself, in atonement for it, not to unavailing sorrow and remorse, but to unceasing efforts for banishing from the earth, for ever, a wickedness more horrible, a more aggravated misery than has, in any other shape, ever visited any portion of the human race. For myself I can truly say, and such, I am confident, were the impressions of thousands, I never have, I never can experience, in any moment of my life, sensations of joy, emotions of gratitude to Heaven, at all comparable with those which were excited in my breast, when we succeeded in effecting the abolition of the British Slave Trade. Let not, once more I supplicate you, let not despair and shame be the successors of this transport! Let not all this misery be revived! Let not our own act obscure the lustre of our glory! Let the sons of Africa now, and for ever, bless, instead of cursing the name of Englishmen.

My lords, I move you, "That an humble Address be presented to his royal highness the Prince Regent, praying that he will be graciously pleased to direct that there be laid before this House copies of such representations as have been made by his Majesty's ministers in the late negociations for peace, in consequence of the unanimous Address of this House for the immediate and total abolition of the Slave Trade, together with the answers returned thereto; and also extracts from such parts of the dispatches of his Majesty's ministers as relate to the same subject."

The Earl of *Liverpool* rose and said:

My lords; before I enter particularly on the subject brought before us by the noble baron, I must be permitted to make a few general observations on the noble baron's speech. I cannot but think, my lords, when you coolly and fairly deliberate on the question, that however you may agree to the principles asserted by the noble baron, you will be of opinion, that in the application of them to the transaction at issue, there has been much of exaggeration, much of inflammation, which neither that transaction, nor the circumstances attendant upon it, in any degree warrant. In the first place, my lords, I complain of the noble baron that he has—however unintentionally—misrepresented the spirit and the purport of that Article of the Treaty which is now under our discussion. The noble baron describes it as if it were a solemn permission on the part of Great Britain to the French government to carry on the Slave Trade for a given time. I beg of you, my lords, to read the Article, and to say if it will bear this construction. The stipulation in that Article is, that the French government, agreeing to the principle on which Great Britain has abolished the Slave Trade, is willing to abolish the Trade at a certain time. That this stipulation contains a permission to carry on the Trade I positively deny.

My lords, the fair view of the question is this—suppose there had been no such Article in the Treaty—suppose there had not been a word about the Slave Trade throughout it—might not the French have carried on the Trade as before? Will any one say that the absence of any stipulation, however objectionable or insufficient, could have been construed into a permission by us to France to carry on the Trade? If, then, the absence of all stipulation could not have been construed into a permission, how can a stipulation, which recognises the justice of abolishing the Trade, and which declares that it shall in no case exist beyond a given time, be construed into a sanction or permission?

My lords, there is one great mistake in the whole of the noble baron's argument, founded on a misconception of the right which this or any other country has to dictate to another and independent nation on a subject like the present. This supposed right must be founded either on general principles or on particular circumstances. It will surely not be contended, on general principles, that any government would be justified, either in going to war, or in continuing war for the purpose of imposing upon another country any moral obligation, however solemn or sacred. For to what would such a principle lead? War might be waged for the abolition of the inquisition—for the abolition of any great moral evil which may exist in the world. But mankind have long agreed, my lords, that how sacredly binding soever moral obligation ought to be considered by individuals, or by a nation, the imposition of it upon another nation is not a legitimate cause of war. If it is not a legitimate cause of war, then it cannot be a legitimate cause for the continuance of war. You are bound to perform your own duties. But in the case of another nation, the question is, has that other nation an independent jurisdiction—is it entitled to judge and act for itself? If it is so entitled, it must be left to the free exercise of its own judgment and discretion.

My lords, I ask you if any independent country will ever submit to have its duties dictated to it by another country? I have thought it necessary to state this general principle thus fully, because the noble baron seems wholly to have misapprehended it. The question now comes to be, whether there are any especial circumstances in the present case which would have justified this country in making the immediate and unqualified abolition of the Slave Trade the *sine quâ non* of peace, or which would have been exactly the same thing, the *sine quâ non* of the restitution of her colonies to France; or whether, having certain colonies in our military occupation, in which the sovereignty of France still existed, we had a right to say we would not restore them, unless France would consent to the instant abolition of the Slave Trade? In the first place, my lords, I will say, that if there be a man here who entertains a stronger sense than another of the importance of an universal abolition of the Slave Trade, I am that individual. In warmth of feeling on that subject I will yield to no one. However I may have differed in opinion from the noble baron on other subjects, I have always thought that it was of the utmost importance to this country, and to the cause of human happiness, that the Slave Trade should be finally and universally abolished. But the premises of the noble lord's argument by no means warrant his conclusion.

I have already shewn, that, on general

principles, no nation is justified in going to war, or in continuing war, for the purpose of imposing on another nation a moral obligation. But if there were any circumstances attendant on the colonies restored to France, that, in the noble baron's opinion, would have justified us in making the abolition of the Slave Trade in them the *sine quâ non* of their restitution, those circumstances, be it recollected, attached only to those colonies which were actually in our possession. Their influence could not extend to the colonies of which we had not possession. Let us suppose that the restitution of her colonies to France was gratuitous on our part—I will shew by-and-bye that it was by no means so; but for the sake of the argument let us at present suppose that it was. The utmost stretch to which we could have gone in our negociation would have been to make, as a condition of that restitution, the absolute abolition of the Slave Trade in those colonies alone; they alone having been in our possession. Now, I wish the noble baron to answer this simple question: would not less good have been gained by a dry barren stipulation with France, that she should immediately abolish the Slave Trade in the islands restored by us, she having the right and power still to carry it on in those of which we never had the possession, than by a general stipulation, France allowing the justice of the abolition and agreeing to abolish the Trade generally by a given period? The noble baron has indeed said, that the stipulation is good for nothing, for that at the end of the five years France will fail to execute it. But this assertion is as applicable to one stipulation as to another. If we cannot depend on the faith of France to abolish the Trade at the expiration of five years, neither could we have depended upon her faith, had the stipulation been for an immediate abolition. But assuming, as I am persuaded I am right in assuming, that the stipulation will be considered binding by France, I repeat that it is much more advantageous to that cause which we all espouse, that France should engage to abolish the Trade generally at the end of five years, than it would have been had she agreed to abolish it immediately in Guadaloupe, in Martinique, in the isle of Bourbon, the colonies restored to her by us, while she would have retained the right to carry it on in St. Domingo and in Cayenne, of which we never had the possession. The object of his Majesty's government has been to obtain a stipulation on the part of France, that she would ultimately abolish the Trade absolutely and generally over all her colonies; and I maintain that by pursuing that object, we have served the cause more essentially than if we had obtained merely a partial abolition, however immediate.

I now come, my lords, to another consideration. The noble baron has argued as if the restitution of her colonies to France was an act purely gratuitous on our part. I confess that I never considered it in that light, nor do I believe a similar restitution was ever considered in that light in any similar negociation. It possibly might have been so considered in the negociations which ended in the last peace, and in the negociations in 1806, which did not end in peace. But those negociations were of a character very different from that of those which have just terminated. The avowed and declared object of the recent negociations was general peace; and it was not, therefore, to be reasonably expected, but that, as this country was entitled to retain a part of her acquisitions in the way of compensation; so, on the other hand, she was called on to restore other parts, as the price of the general arrangements of Europe. Does the noble baron suppose that the continental powers would have allowed Great Britain to keep all the colonies of the world? Does he not know that the colonial possessions of Great Britain are as much the subject of the jealousy of those powers, as ever the continental power of France was? It certainly was not surprising that they should expect, when you called on France to sacrifice such immense territorial possessions—such kingdoms and empires as the noble baron had justly described them—and above all, those pretensions which flattered the national vanity and pride, it was not surprising that they should say, "you must sacrifice, on your part, something to reinstate France as a colonial power." It is not fair, therefore, my lords, to argue as if the colonies were something which you might or might not have restored. They were a fair subject for negociation, and if the Slave Trade had never been mentioned, the continental powers would have expected that while we kept a part, we should restore a part as the price of a general arrangement for peace. In arguing on the feelings and sentiments of other countries, my lords, we must take care not to be misled by our own. We came to the conclusion at which we had arrived on the subject of the Slave Trade after many years of deliberation. The opinions of France on that subject were by no means so far advanced as ours, even before the French Revolution. The late government of France was an avowed supporter of the traffic, not on the principle, as elsewhere, that it was an evil which must be tolerated, but that it was a benefit which it was desirable to hold out to the commercial men of France, whenever the French colonies should be restored. Can we be surprised, therefore—however we may lament the circumstance—that a government newly restored, and feeling the necessity of standing on public opinion, should experience a difficulty in immediately acquiescing in our wishes on the subject?

My lords, I have no hesitation in saying, that I think they are mistaken. It is my opinion—an opinion which has been strongly impressed upon them—that it is the interest of the French government, on the soundest view of their true policy, to abolish the Slave Trade immediately and altogether. Every effort was made by us to induce them to do so. But when the noble baron argues, that we ought to have made the abolition the condition of the restitution, he contends that the abolition ought to have been the price of peace, and that the consequence of a refusal of the abolition must have been the continuation of the war. Out of this dilemma he cannot get. If we had made the unqualified and immediate abolition of the Slave Trade, the *sine quâ non* of peace, we must have been prepared for the alternative. Now, I ask you, my lords, would the country have approved this alternative? Would the country have approved our making the refusal of the French government immediately and unconditionally to abolish the Slave Trade, the cause of continuing the war? Would our allies, under all the circumstances of the case, have thought that refusal a sufficient cause for delaying the signing of the Treaty for a single moment? I call the attention of your lordships to all that has passed with respect to the Slave Trade during the last fourteen months. Grievous injustice will be done to his Majesty's ministers, if it be not allowed, that more has been done by them within that time effectually to abolish the Trade, than had been accomplished at any former period. The measure of abolishing the Slave Trade was first carried in this House in 1806. Several propositions were then made, to which the House agreed. The first was a declaration condemning the Trade, and stating that we would take measures to abolish it as soon as possible. The second proposition was for the abolition of the foreign Slave Trade. The third declared, that no fresh capital should be embarked in the Trade. The fourth,—and it is to this that I wish particularly to direct your lordships' attention, for whatever shades of difference of opinion there might have existed on the other propositions, on this there was perfect unanimity—was an Address to the King, requesting that his Majesty would negociate with foreign powers for the abolition of the Slave Trade. This proposition was unanimously agreed to by this House in 1806. In the summer of 1806 negociations for peace were opened, which proved abortive. In the ensuing session a Bill was brought into parliament for the immediate and unqualified abolition of the Slave Trade by this country; and an Address was presented by this House to ascertain if any and what steps had been taken with respect to foreign powers, to induce them to agree to a similar abolition. By the papers presented in answer to this Address, it appeared that, with respect to Portugal and Spain, no steps whatever had been taken to procure the abolition. The correspondence with France shewed that instructions had been given to our minister to make the subject a part of the negociation with the French government, and several letters appeared which evinced the disposition of that government to evade the discussion of it. One of the last instances of the indisposition of France to acquiesce in the views of Great Britain on this point, was contained in a letter from lord Yarmouth to Mr. Fox, dated Paris, July the 24th, 1806, in which the noble lord said that he had mentioned the subject of the Slave Trade to general Clarke, who had told him, that the emperor would have no objection to make it a matter of negociation after the conclusion of peace; but that he would not consent to its being made one of the articles of the Treaty. The negociation, however, went on to the middle of October, and nothing passed on the subject of the Slave Trade. I am sure, therefore, I shall not be contradicted when I say that his Majesty's government of that day would have made peace, and would have restored the French and Dutch colonies, had no other obstacles presented themselves but the indisposition of the French government to admit the abolition of the Slave Trade as one of the articles of the Treaty.

My lords, I know that the noble baron may say that this was not a complete act. But, I repeat that it is evident, the non-abolition of the Slave Trade by France would have been no impediment to the restitution of her colonies, and to the conclusion with her of peace. And yet the Address to his Majesty, that he would negociate with foreign powers for the abolition of the Slave Trade, was the only proposition which had been submitted to this House on the subject that had passed unanimously. In 1808 a treaty was concluded with the Prince Regent of Portugal, under the auspices of my noble friend opposite (marquis Wellesley) who then held the foreign seals, in which there was an article providing for the gradual abolition of the Slave Trade. But although this treaty thus recognized the principle of abolition to a certain degree, no period was fixed for its complete operation. But, my lords, desirous as I am of seeing the Slave Trade utterly abolished, I am not prepared to say that we ought to have abstained from our efforts for the deliverance of Portugal, because we had not been able to obtain from the Portuguese government the immediate and unqualified abandonment of the Trade. Soon afterwards, my noble friend opposite was sent embassador to Spain, for the purpose of cementing the union between the two countries. My noble friend was instructed to endeavour, if possible, to effect the abolition of the Slave Trade on the part of Spain, and I am sure nothing could exceed the zeal, the good disposition, and the ability displayed by my noble friend on that occasion. Every body knows how important it was, with a view to the general abolition, to obtain the abolition by Spain. With all his efforts, however, my noble friend failed to prevail on the Spanish government to abandon the Trade. But, my lords, am I therefore prepared to say, however I may think the conduct of the Spanish government was injudicious and indefensible, that we should on that account have refrained from aiding Spain in the glorious struggle in which she was engaged—that we should have withdrawn those armies which have done their country such immortal honour?

The noble baron has alluded to the Address of this House of the 5th of last May. I see in that Address, my lords, every thing that called on his Majesty's ministers to use their utmost endeavours to procure the immediate and entire abolition of the Slave Trade, but nothing that required them, should those endeavours prove unsuccessful, to make that the cause of continuing the war. Let it be remembered also, my lords, that this is a question which is considered with very different feelings at the present moment from those which were excited by it while war was still waging. It is very easy now to talk quietly of making that a *sine quâ non,* which, if we were still in a state of hostility, no one would hesitate to relinquish—to the extent at least to which it has been relinquished—for the purpose of securing peace. I call on your lordships also, in justice to his Majesty's government, to consider what has been done by us on the subject within the last twelvemonth. In the first place, we have obtained from the Swedish government, the immediate and unqualified abolition of the Trade. From the government of Denmark we have also obtained the immediate and unqualified abolition of the Trade. And we have now on our table the proof that the Dutch government have agreed to the unlimited abolition of the Trade in all their colonies for ever. It is true that, with respect to Sweden and Denmark, the abolition will not be productive of any very important results. But as to Holland, I beg to know from the noble baron in what other country, except France, the abolition could in all probability be followed by more extensive and advantageous consequences? I believe that the Dutch colonies, of all others, are likely to increase to a state of the greatest prosperity, and that it was not a less object (I do not say it was a greater) to obtain the concurrence of Holland in the abolition than that of France.

My lords, I have stated these facts to shew that progress has been made by his Majesty's government on the subject in other countries. I am, however, far from being disposed to admit that the concession made by France is unimportant, though I own it is not that which we wished, and which we struggled hard to obtain. It is much, however, to have fixed the French government to the cessation of the Trade at a given time. The stipulations are not loose and general, as in the Treaty with Portugal. They are precise and determined; and if there be any faith in treaties, in five years the Slave Trade in the French colonies will be at an end. The noble baron, indeed, contends, that the Article in the Treaty is nugatory, because at the end of the five years the French government may fail to fulfil it. Be it observed, however, that it is stipulated by that government that they shall join their utmost endeavours with those of Great Britain at the approaching Congress, to induce the other powers of Europe to abolish the Trade, and that in any case it shall cease with respect to France in five years. If, as the noble baron supposes, the fulfilment of this Article cannot be relied on, what reliance could have been placed on the performance of any condition for the entire and immediate abolition of the Trade? For my own part, I have the most implicit confidence in the fulfilment of this Article; and I am persuaded, that by the expiration of the five years, the French government will have taken all the means which ought to satisfy every fair mind, for the complete abolition of the Trade. The noble baron, in the course of his speech, alluded to the sentiments of our allies on the question. I am persuaded that we shall have the cordial assistance of all of them on this great and important subject. But I am not less persuaded, that if we had not signed the Treaty, they would have signed it. If the noble baron thinks, that had the Treaties been separate, and had we refused to sign ourselves, without a stipulation on the part of the French government immediately to abolish the Slave Trade, that our allies would not have signed their respective treaties, he is very much misinformed. If we manage the matter with prudence and caution, I have no doubt that we shall ultimately attain our object. But the very way to make our allies, at the approaching Congress, refuse to listen to us, was to be over-hasty, and to induce them to think that we were pushing the business too fast, and in a manner that to them might seem unreasonable.

In answer to the noble baron's assertion, that more might have been obtained on the subject from France, I again say that no efforts were wanting to effect the whole object—no efforts were wanting to impress on the minds of the French government the policy, no less than the justice of conceding it. I again ask, were we prepared to make the refusal a cause of continuing the war? Were we prepared to insist on keeping the colonies, at the risk of a consequent continuance of the war, rather than conclude a peace without the attainment of our whole object, although with a considerable approximation to it? "But," says the noble baron, "you were in a commanding situation, and you had other rights which entitled your representations to regard." True, but does the noble baron recollect the importance of expedition? Was it desirable either that the allied troops should remain in Paris for an indefinite time; or that they should depart before the signing of a treaty of peace? I can assure you, my lords, that there was not a single person in the councils of any one of the allied sovereigns who, after the glorious events which ended in the occupation of Paris, and in the restoration of the Bourbons to the throne of their ancestors, was not convinced of the wisdom and policy of bringing the negociations for peace to a conclusion with as little delay as possible.

My lords, it was a question with us of prudence and discretion. I believe, in my conscience, that we may obtain our whole object. But I am convinced that this country can best operate upon a great nation like France, by reason, by conciliation, by management, and not by a stubborn determination to arrive at its ends without any regard to the nature of its means. Any attempt to make our proceedings authoritive in their character, would retard, rather than accelerate, the attainment of our wishes. From this very Article, imperfect as I allow it to be, and far short of that which we perhaps might have expected, I entertain greater hopes of our being able to accomplish our ultimate object, than I should have done, had we obtained a stipulation apparently much more advantageous, under the menace that we would not otherwise accede to the Treaty. I am sure that it is only by conciliating the good will of all parties that that we can look to eventual success; and that the surest mode of defeating ourselves would be to assume a tone, and to call imperiously for such immediate sacrifices as no independent nation would be disposed to make. How many great objects, my lords, have been lost by precipitation and violence! We have done much—a little temperance, a little forbearance, and we shall do more.

I come now, my lords, to the immediate consideration of the noble baron's motion. The noble baron says, and says truly, that where a negociation has failed in any particular point, parliament have a right to enquire into the cause of the failure. I admit that we have not succeeded with respect to the abolition to the extent that we could wish; but I contend, that as on the very face of the Article in question it appears, that the subject is to be discussed in future negociations,—and that in no case is the Trade to be continued by France for more than five years,—nothing could more effectually tend to frustrate the object which we all have in view, than at the present time, or under the existing circumstances, to accede to the noble baron's motion. The publication of the discussions which have taken place, of the statements that have been made, of the arguments that have been urged, would materially embarrass the parties to the approaching deliberations; it would possess the opponents of the abolition of all the reasoning (fallacious as it is) against such a measure, and would very much obstruct its final adjustment.

The noble earl concluded by declaring, that whatever might be the differences of opinion on the subject, he thought it more likely that the same would be got the better of by a negative to the motion of the noble lord, than in any other manner.

Lord *Holland* conceived that the case lay in a very narrow compass, and should not have thought of troubling the House, had it not been for some observations which ran through the speech of the noble earl, in answer to the speech of his noble friend; and particularly, the conclusion of the speech of that noble lord, in which he objected to the production of the papers called for by his noble friend, seemed to be at variance with the general argument contained in that speech. The noble lord asked, were their lordships prepared to make the non-agreement on the part of France to the abolition of the Slave Trade a *sine quâ non* for the continuance of war? This question he would answer, by asking another question of the noble earl, was he ready to state that the government of France was prepared to make the permission to continue that traffic a reason of war, and a *sine quâ non* on their side? He had no objection to admit it as a general principle, that it was not a cause of war between two countries, that one of the two would not subscribe to some one general system or principal of policy laid down by the other; but he objected to the clause in the Treaty in question, because the French government were thereby made to confess themselves as degraded as could be, making themselves the instruments of carrying on a traffic founded in injustice for the space of five years, and thereby preventing us from enquiring, at any future period, if this might not be sooner effected. This he thought had received the sanction of our government with a peculiarly bad grace, after the unanimous Address of that House to the Prince Regent during the present session. His lordship could not allow the noble earl to allude to the period of the year 1806, and to cite the efforts of that government triumphantly, as having effected little in the cause of the abolition of the Slave Trade. This the noble earl inferred from the failure of the efforts of the government of that time with Portugal and Holland. The instructions of that government, however, to lord Yarmouth were, to endeavour to accomplish the object in view, but the negociation at that time was not carried further. This, however, was not attributable to the government; the question then addressed to this country was, have you yourselves abolished the Trade? The answer was short; they had not done so, and to this was it attributable that the negociation had failed. He (lord Holland) along with another noble lord, now no more (lord Auckland) had failed in a similar negociation with another power, also because the Slave Trade had not been abolished by this country. The noble earl took credit to himself for having carried the abolition with the Swedish government. The noble earl forgot, however, that at the same moment we had ceded an island to Sweden. Many persons in this country were reconciled to that cession, from the idea that it had proceeded from an agreement on the part of Sweden to concur in the abolition of that Trade. And who could at this moment say, that the cession of that island was not a strong reason for the agreement on the part of Sweden, to accede to the abolition of the Trade in question? It was also stated that Denmark had agreed to the abolition; but had she not agreed to do so before? The noble earl began in a high tone, by stating that we had given no permission to France to carry on this Trade. We surely had not; but had we not given her islands, —had we not given her a territory, to which and from which to carry on such Trade? Had we not admitted her right to carry on that Trade for five years? And having done so, were we not precluded from objecting to her carrying on the

Trade for that period? The noble earl had said, was it nothing to have procured the declaration of France, that she would not carry on the Trade beyond the period of five years? But what assurance had we of this; unless, indeed, the noble earl, who said that the refusal to forego such a traffic should not be esteemed a sufficient cause to prevent a peace, would make the refusal to ratify the engagement to renounce the Trade, at the period specified, a sufficient ground of war. The recognizing of the Trade for a certain number of years, was not the way of ensuring the ultimate abolition of it. The Trade in question was one, which, as to France, did not now exist, whereas five years hence it would have gained the ascendancy in the minds of the persons interested in it, of being a revived and existing commerce. A noble viscount and others, some years ago, had, in that House, recommended a gradual abolition: he (lord Holland) was then of opinion, that it was impossible to enter into any contract with iniquity and injustice; though, he admitted that there was some plausibility in the argument then adduced, as to the hardship on those who, on the faith of the existence of the Trade, countenanced as it was in this country, had embarked their capital in it. But as to France, no such argument could apply: her subjects had no capital at present embarked in such a Trade; and as to colonies, for which the importation of slaves was necessary, she had none such. It was only to introduce the traffic in question, for the sake of continuing it to all eternity, thus to throw a cloak over an object which the persons by whom it was to be carried on had not courage to avow; but which, at the same time, they had the wickedness to pursue. It had been said, that we had carried on this Trade after the abolition of it was first proposed, for the space of 20 years. There was, however, as already said, a great difference between the two cases, our mercantile system being at that time involved in the trade, which was not at present the case with France. It would indeed have been a great victory over himself, for a most Christian monarch to have undertaken, as a concession to this country, that he would engage not to resume a system of man-stealing against a poor and inoffensive people. The French king, however, had chosen to do so, and rather than yield us a concession of the kind, had consented to put it on record, that for five years he had been acting contrary to justice in this enlightened age. It was said, however, that this would have been dictation on our part. He confessed he could see nothing either of dictation, or of degradation to any of the parties, in three or four independent nations agreeing that they would neither commence nor revive a commerce, confessedly founded in barbarity and injustice. Either all the other Addresses of the House on this subject were needless, and meaning less, or their lordships were now called on to go farther. There was little doubt that ultimately the opinion of the people of this country would have its effect on the minds of the people of France. They, in all probability, were equally libelled and calumniated by the government of their own country, and would take as lively an interest in the question as the people of this country, if they were permitted to do so. The two Articles in the Treaty in question would indeed be greatly to be deplored, if, in consequence, the territory from Senegal to Goree was once more to become the scene of this traffic in human blood, the traders in which esteemed it a good speculation, if, by the murder of a hundred persons, they could only secure three of whom to make slaves.

The Earl of *Westmoreland* argued, first, that the Prince Regent in his speech had declared it not to be the intention of this country to interfere in the internal government of any other state; and, secondly, that, for the procuring of peace, Great Britain would be willing to make great sacrifices. But for the articles now objected to, there would be no declaration on the part of France that she would abolish the Trade in question: now, she was pledged to abolish it in five years.

The Earl of *Selkirk* disapproved of the motion. He should be sorry, however, if it were thence supposed that he approved of the clause respecting the Slave Trade in the Treaty. It was with grief and pain he had read that clause, not only as a sanction for five years, but because he thought it must lead to its continuance beyond that period. The cession of the colonies to France might have been accompanied by a demand of the discontinuance of the Slave Trade in the colonies so ceded. Were that the case, those subjects of France possessing property in Martinique and Guadaloupe would be anxious for its suppression in the other French colonies, and thus a great colonial interest would be established in favour of its general discontinuance. He, therefore, considered the Treaty unsatisfactory in this particular; he hoped it would be more perfect at the ensuing Congress, and was confident the noble lord (Castlereagh) entertained that expectation when he signed it.

The Marquis of *Lansdowne* thought that the most favourable opportunity which could have presented itself had been given by the Almighty for bringing this desirable object to a favourable conclusion, and had been neglected. What more favourable opportunity then the assembling together of all the principal potentates in Europe could have been conceived, for effecting so great and national an object; and what objection could have been urged, at such a Congress, to have made the agreement in question for the abolition of a disgraceful traffic in blood, a part of the law of nations, as well as any other? If there ever was an unlawful stipulation in a treaty, it was that which recognized the resumption or revival of an unjust law which had been already abolished. It was said, that the words of the clause in the statute did not amount to an admission of the right to carry on the Trade; but did they not permit the resumption of the Trade for a limited period? It was also said, that we were not entitled to enforce our opinion upon the people of France, even in as far as it amounted to a moral obligation, so far as the question of war went. He admitted this; but were we to say, that, so far as an object affected the condition, not of the people of this country only, but of all our sugar colonies, and of the whole coast of Africa, that could be considered as to France, a question of mere internal government or regulation, in which we were not entitled to interfere? On the contrary, was there not imposed on us as a matter of the greatest moral obligation in the world, the duty, being the most able to do so, to protect the rights of the helpless and unoffending? Would this be a more becoming course in us to pursue; or on the contrary, did we more consult our own dignity and character, in saying that we would not interfere, but would leave the world to its fate, and to suffer by all the occurrences which might take place. He thought such a doctrine as this was infinitely more likely to prejudice the negociations in which the noble lord was about to enter, than to bring them to a favourable issue. Were Spain and Portugal more likely to concede the abolition of the Trade in question, from being informed that such were the ideas entertained by us on the subject? If we forbore to enforce what was essential to the interests of our own colonies; of the whole continent of Africa; and of the cause of religion and morality, were they, from our entertaining such respect to their inclinations, to be supposed the more likely to yield up their own interests? There were important political principles connected with this question. Was it of no consequence, for instance, having established colonies on the coast of Africa, for the purpose of penetrating into the interior of the country; after seeing ships built and employed in that traffic, that by a recurrence to crime on the part of another country, we should see the whole of that legitimate traffic cut off, the advantages of this unfair Trade being so great, and the very existence of it so paralyzing in its effects upon every attempt at lawful commerce on that coast? A sort of miracle seemed to have intervened to assist us in thoroughly accomplishing the annihilation of this infamous traffic: France had not a single colony to which slaves could be imported; Spain and Portugal were so bound to us by obligation, that we had every right to suppose our interference would have weight with both of those governments; and yet, of this opportunity, never likely again to return, were we, by the Articles in the Treaty in question, to be at once deprived? It was said, that it was not for us to ask any thing of France which might be construed into a degradation of that country. In this he agreed; but when he looked to other parts of the Treaty—to the East Indies, in particular—to Pondicherry, there the idea of degradation was not thought of—there no fortifications were to be erected, and the number of soldiers was to be limited. These were precautions of which he approved; but all he asked was, the application of similar principles, where not the interests of this country alone were concerned, but where there were also involved the interests of other countries, and of human nature? Was this language which would have been unacceptable to our allies? Would not our allies have recognized such principles? And would the government of France, in the face of Europe and of the people of their own country, have ventured to continue the war on such unjust and untenable grounds?

Earl *Grey* said, that God knew it was unnessary for him to attempt to add any thing to what had been already urged in support of the Address of his noble friend; he felt it impossible for him to give new force to the arguments of his noble friends by repeating them, for he could only repeat them; and at that time of night he hardly knew what apology he could make to the House for detaining them. He felt so deeply, however, on this subject, as involving vitally the honour and character of the country, that he must rather incur the charge of presumption than remain silent. After all he had heard, he continued firmly of opinion, that the Article which had been alluded to was calculated to introduce into the country where the traffic must be carried on, anarchy, murder, and every species of crime. It was an article, in his opinion, deserving of every epithet which had been applied to it by his noble friend. The noble earl had talked of moral obligation. Such a fallacy never was heard of. Was it a moral obligation which affected the people of France alone? Or was it one which involved war and desolation on a great continent? He recollected that when he deprecated the idea of forcing on the French people a government which they did not choose, the noble earl on the other side admitted his argument in principle, but said, if they acted on principles which affected the peace of the civilized world, their acts were to be opposed. This principle he now applied to meet the position of the noble earl opposite. If France chose to act, what the civil law termed the part of a maleficent nation, its acts were to be opposed. The moment that Senegal and Goree were restored to France, that moment might we, according to the terms of the Article in question, expect to see wars upon wars—brother engaged against brother—in that unhappy country. From thence to the West Indies might we expect to see every moral obligation violated; and this on the pretence of not dictating to, or interfering in, the internal government of France! If France were to make war on Prussia, Russia, or unhappy Poland, should we not interfere? And why not as to Africa? The noble earl said, were we to do this at the expence of continuing the war? On this, he submitted, the *onus* lay on the noble earl,—on him it was incumbent to shew, that such must have been the effect of our withstanding the attempt to revive such an infamous traffic. If we had said to the French government, "we have conquered from you your West India colonies, but we have kept them up in full prosperity, and there they are restored to you, only, however, on the condition that you no longer carry on this disgraceful traffic in human blood," who could say that there was any person who could have objected to this; or if it had been objected to, and had been insisted on with proper firmness by the person managing the negociation, that it would not have been yielded on the part of France? It was impossible not to see that the reconquering of St. Domingo must be one great inducement on the part of France to the revival of this Trade. Such an attempt, if ever to be successful, might be supposed to be accomplished, at the expence of oceans of blood, and mountains of treasure, nearly about the period of the expiry of the five years; and then must we have the gratification of seeing a still farther continuance of this traffic! Indeed, if to be re-established in France, it must be so as to the rest of the world. As to the precedent in 1806, alluded to by a noble earl, that might be considered as an 'argumentum ad hominem,' to which, in general, he had no objection. As stated by the noble earl, however, it could only be regarded as a flight of eloquence, with a total disregard of every thing like matter of fact.—The terms of censure applied to the disgraceful condition to which ministers had given their assent, could not be too strong. Earl Grey said he would have burnt his hand before he would have given his signature to it: however successful it might have been with regard to other points, upon that subject it must be allowed by all parties that the negociation had completely failed. If the representations made during the late continental discussions on the part of this country had not been sufficiently strong and imperative, at the approaching Congress they would be able to repair their errors; or if the documents were produced, and they disclosed that ministers had done all that became them, the approbation of parliament would strengthen their hands in any new struggles upon this subject. In all points of view he approved of the motion.

Earl *Bathurst* maintained that the motion was not intended to assist but to censure ministers, and that if the documents were produced it would be found, that no fit expedient had been left untried to induce France to accede to an immediate abolition. He referred to the negociations in the years 1806 and 1807, and argued, that from the facts that were then disclosed it did not seem that his Majesty's government at that time, or the individual in whose particular department it came, were so anxious upon the question of the Slave Trade as was represented. The evils that would accrue from the present Article appeared to have been much exaggerated, particularly with respect to St. Domingo. The noble lord who brought forward the motion, had lamented that the abolition had not been pressed in his address of 5th May as a *sine quâ non.* If this were the fact, the proposition ought to have been brought forward much earlier, either at the commencement of the session, when the royal speech was discussed, or at least after the battle of Leipsic. In his view no one useful purpose would be gained by laying upon the table the documents required.

Lord *Grenville,* in reply, lamented the gloomy prospect that presented itself to the friends of justice and humanity, from the mode in which his proposition had been received and discussed. It was plain, first, that ministers had done nothing; and secondly, it was equally clear that they would do nothing. He had not mentioned the abolition in the address, which he moved some time ago as a *sine quâ non,* because it seemed to him unnecessary: it was almost implied, since he deemed it absurd in the extreme, that colonies should be restored without such an engagement. He maintained that in 1806 and 1807, all that could be done by the government to which he belonged had been accomplished; but at that time the call upon France to abolish the Slave Trade was not backed by the example of Great Britain; we had not at that time abolished it ourselves, but it was impossible that the noble earl who spoke last could have read the dispatches that were published, or that he could have listened to the discussions which occurred, if he contended, that all had not been attempted that the most ardent zeal for the success of the cause could suggest. So much was the subject at heart, that even when a direct negative had been put upon the proposal, and it was almost hopeless, the British negociator continued to urge the abolition of the Slave Trade with the utmost earnestness. His lordship concluded with remarking, that he seldom claimed more credit at the hands of the House than they were willing, unasked, to bestow, but upon the question of the Slave Trade he did expect that credit would be given him for unceasing wishes for its abolition, and unabated exertions for their accomplishment.

Lord *Holland* said, that in the course of the speech of the noble earl who spoke last but one, Mr. Fox having been mentioned as not being zealous in his endeavours to procure the abolition of the Slave Trade, he begged to state, that it was his firm conviction, that his lamented relative would not have signed any treaty which did not contain an engagement to agree to the abolition of the Slave Trade, in case this country should adopt the measure. On what authority the noble earl had ventured to assert the contrary he did not know.

Earl *Bathurst* did not mean to make any such an assertion: he only judged from the state of the war then and the state of the war now, that at the former period it was not intended that the abolition should be a *sine quâ non.*

Lord *Grenville* observed, that it appeared not to be an assertion, but an argument drawn from inference, of the value of which the House would judge.

Lord *Holland* added, that he would venture to assert, from his own knowledge, that while the former negociations were pending, the complete abolition of the Slave Trade was so much a matter of constant anxiety with Mr. Fox, that not three hours in the day passed without that subject being uppermost in his mind.

The question being then put upon lord Grenville's motion, the Lord Chancellor declared in favour of the Non-contents. The House was cleared, and a division took place. The numbers were: for the motion, Contents 27—Against it, Non-contents 62—Majority 35.

PROTEST AGAINST THE REJECTION OF LORD GRENVILLE'S MOTION UPON THE FRENCH SLAVE TRADE.] Upon the rejection of lord Grenville's motion, the following Protest was entered on the Journals:

"Dissentient.'

"Because, in the Article of the Treaty of Peace lately concluded at Paris, respecting the African Slave Trade, a public interest of the first importance has been sacrificed, and, as we firmly believe, without any necessity or adequate cause; this inhuman traffic being, under the sanction of that Article, revived and continued in the colonies which we have surrendered to France, for the term of five years; and an immense district on the continent of Africa, which had been entirely relieved from it, again exposed to all the evils which must flow from its re-establishment.

"Because, deeply impressed with the horrors of a commerce which the humanity of the legislature had prohibited, and which is described, in the Article above referred to, as repugnant to the principles of natural justice, and of an enlightened age, this House had unanimously addressed his royal highness the Prince Regent to employ the whole weight and influence of this country, in the late negociations for peace, to procure its general and entire abolition; and because it is incumbent on ministers to shew from what causes the endeavours which it was their duty to make for the attainment of this important object have failed, under circumstances which were undeniably most highly favourable to their success.

"Because this proof can only be given by the production of the papers which have passed during the late negociation upon this subject, as was admitted to be usual in cases of failure, and because no sufficient reason for with-holding such information, in the present instance, was given in the debate.

AUGUSTUS FREDERICK, (D. of Sussex),
WILLIAM FREDERICK, (D. of Gloucester),
GREY, GRENVILLE,
LAUDERDALE, VASSALL HOLLAND.

## HOUSE OF LORDS.

*Tuesday, June 28.*

THANKS OF THE HOUSE TO THE DUKE OF WELLINGTON.] As it was understood that his grace the duke of Wellington would be introduced for the purpose of taking the oaths and his seat, a considerable concourse of persons assembled below the bar at an early hour. An unusual number of peers also were present on the occasion, and below the throne sat the duchess of Wellington, and the countess of Mornington, the venerable mother of the noble duke. Several other ladies were present, and many members of the House of Commons. At about ten minutes past three the noble duke entered the House, preceded by the duke of Norfolk, as earl marshal of England, sir Isaac Heard, garter king at arms, sir Thomas Tyrrwhit, usher of the black rod, and supported by the dukes of Richmond and Somerset. His patents of creation, as baron, earl, marquis, and duke, were then severally read, and occupied a considerable time. The usual oaths were next administered to his grace, after which he signed his name, and took his seat.

The *Lord Chancellor* then addressed him, for the purpose of conveying the Thanks of the House, as voted on the preceding evening. He said that he had received the commands of that House to return their acknowledgments and thanks to his grace for his eminent and important services, performed to his sovereign and his country. In the execution of that duty he could not refrain from calling his attention, and that of the noble lords present, to a circumstance singular in the history of that House, that upon his introduction he had gone through every dignity of the peerage in this country, which it was in the power of the crown to bestow. Those dignities had been conferred upon him for eminent and distinguished services; and for the same services both Houses of Parliament had bestowed the highest honours it was in their power to grant—their unanimous thanks and approbation. He would not have the presumption to attempt to state the nature of those merits, nor to recapitulate those glorious achievements, those brilliant acts which had given immortality to the name of Wellington, and had placed this empire on a height of military renown, of which there was no example in its history. He felt that he could not better discharge the duty which had devolved upon him, than by recurring to the terms in which that House had so often expressed their sense of the energy, the unremitting exertions, the ardour, and the ability with which the noble duke had conducted the arduous campaigns of the Peninsula; exertions and ability which finally enabled him to place the allied armies in the heart of France, fighting their way there through the blaze of victory. The glorious result of all his toils and victories had been to achieve the peace, the security, and the greatness of his country, while by his example he had animated the rest of Europe, and enabled her governments to restore their ancient order. The House, he knew, would excuse him if he indulged for a moment, in the opportunity afforded him of expressing his own satisfaction in having been the instrument to convey, on all those occasions, the thanks and acknowledgments they had voted to his grace, and more especially the infinite gratification he now felt in fulfilling their commands, by informing the noble duke, that they had unanimously voted their thanks, for his eminent and unremitted services, and their congratulations upon his return to this country.

The Duke of *Wellington* rose and said: Unable as I should feel myself at any time to address your lordships, yet I have, on the present occasion, to return you my acknowledgments for the approbation you have been pleased to express of my conduct. But I feel myself so overcome by the honour I have received, by the favours which his royal highness the Prince Regent has shewn me, by the approbation bestowed by your lordships and the House of Commons, that I am utterly unable to express my sentiments. In truth, my lords, the entire confidence which government was pleased to repose in me, the ample means entrusted to my disposal, and the cordial assistance I received from the gallant officers who shared my campaigns, contributed powerfully to those successes which your lordships have noticed in a manner so gratifying. Encouraged and excited as I was by the greatest favour and protection of the Prince Regent, and by the approbation and applause of parliament, I cannot consider the difficulties I had to overcome as at all equal to the motives that thus animated me, and I am apprehensive I shall be found not so deserving of the honours bestowed upon me as your kindness may believe. I can only add, that I shall ever be found ready to serve his Majesty, to the utmost of my abilities, in any capacity in which he may think proper to employ me.

After a few minutes, during which his grace received the congratulations of many of the peers present, he retired to unrobe, and then re-entered the House, dressed in the uniform of a field marshal, decorated with various orders, &c.

English Roman Catholics.] Earl *Grey* rose to present a Petition from the English Roman Catholics, praying for relief. In bringing this separate matter before their lordships, he wished to be understood as departing in no respect whatever from the sentiments he had hitherto avowed, with respect to the general question as affecting the Catholic subjects of this realm. Upon that question, his opinions remained unaltered, though, from particular causes, he had thought it inexpedient to bring it before parliament in the present session, and had therefore urged with a noble friend of his, who presented a petition from the Catholics of Ireland, in not founding any motion upon that petition at present. But with regard to the Catholics of England, there were some things in their condition which rendered them peculiarly an object of separate and distinct consideration. Their constantly meritorious conduct, their uniform loyalty, their unwearied patience under great sufferings, never once disturbed by a single expression of irritation, entitled them to the protection of the legislature. There were some circumstances in the situation of the English Catholics which rendered their condition peculiarly galling. They not only suffered under all those general disabilities which attached equally to themselves and the Catholics of the sister kingdom; but the relief which had been afforded to the latter, by their own parliament, was not extended to the former. That exclusion, too, was rendered the more severe and insupportable, from the circumstance that the Irish Catholic, even when he arrived in England, continued in the enjoyment of all those privileges and benefits granted to him by the Irish law, but from which the English Catholic was wholly excluded. The House would be fully sensible of so strange an anomaly, so crying an injustice, and it was only to the extent of a remedy for that evil that he now intended to call the attention of government. Late as the session was, if he could have flattered himself that he should receive the countenance and support of ministers, he would have brought forward some measure for their relief; but without that support no benefit could result to them, he was persuaded, from agitating the question. His advice to the English Catholics, therefore, had been, that they should, themselves, open a communication with ministers, and ascertain how far any disposition existed on their part to ameliorate their condition. He did not know whether any such application had been made. He was of opinion that such partial, yet necessary relief, as he had suggested, might be afforded even in the present session of parliament, for to that limited measure of concession many were favourable who opposed the general principle. He should content himself, however, for the present, in moving that the Petition do lie on the table.

The Duke of *Norfolk* expressed his hope that ministers would do something this session. If they would hold out a hope that the Petition should be taken into consideration, he would not press the matter any further; but if no such hope was held out, he should feel it his duty to bring the question before parliament this session.

The Petition was then ordered to lie on the table.

ORANGE LODGES.] The Duke of *Sussex* rose and observed, that he had a variety of petitions to present from the Catholics and Protestants of various parts of Ireland. For the information of the House, he should move that one of them be read, as they were all the same. They were against a society called the Orange Lodge. He had had them in his possession some time, with an intention to present them, but he had come down to the House several days without finding any of the ministers present, and had thought it improper to lay them on the table in their absence. He had waited, therefore, for a meeting like the present; but he did not mean, as there was an interesting subject which already stood for that evening's discussion, to press the matter upon the attention of the House. He thought it his duty, however, to present the petitions, because he conceived that when the Catholic Board (upon whose proceedings he should deliver no opinion) was laid aside, and when it was known that elsewhere a Bill had been introduced for preserving the peace of Ireland, the moment was come for government itself to take some measure with respect to the associations referred to in those petitions. If he should learn from the sentiments of ministers, that it was their intention to suppress the system, then he should think it unnecessary to make any ulterior motion; but if not, he should bring the question before their lordships. He could not, however, dismiss the subject without begging that one of the petitions might be read. The substance of the allegations contained in them was, that these societies were bound together by secret and illegal oaths; that they formed processions, in which there were a number of armed people; armed societies being unconstitutional; and that the existence of these lodges gave rise to other societies of a different nature, but equally distressing to the country.

One of the petitions was then read, which, with several others from different districts in Ireland, were ordered to lie on the table.

SLAVE TRADE.] A great number of petitions against the continuance of the Slave Trade, were presented by the duke of Gloucester, lord Grey, and the marquis of Lansdowne. Lord Holland presented one from the Dissenting ministers of the three denominations in London. Lord Stanhope presented several also, and observed, that as the House must contemplate, with infinite regret, the probable danger of slaves being smuggled into our West India islands, he had drawn up a Bill to prevent that evil from taking place. It was not his intention to present it that day. The object of the Bill was, that if any negro should be imported into our islands, they should become *ipso facto,* as free as if they had been landed in the island of Great Britain. This he considered would be a complete remedy, as no person would be found willing to purchase a negro when he could have no property in him.

TREATY OF PEACE WITH FRANCE.] Lord *Lonsdale* rose to move an Address to the Prince Regent, thanking him for his gracious communication of the Treaty of Peace with France to the House, and assuring his Royal Highness of the approbation with which their lordships regarded that Treaty, which was safe and honourable to all. It was safe, as the best interests of this country had been consulted; honourable as it had been concluded at the end of a successful war. With this impression of the Treaty, it might be sufficient barely to move the Address without any comment: but there were times when those who seldom addressed their lordships were called upon to express their sentiments. It was unnecessary now to call the attention of their lordships to the time when the military power of France preponderated so much on the continent, and was wielded by a man whose dearest object was the destruction of the constitution and independence of this country. By the splendid successes of the duke of Wellington, who had that day been so eloquently thanked by the noble lord on the woolsack, and the exertions of the allied powers of the continent, that colossal preponderance had been overthrown, and the result was the establishment of a secure and honourable peace. The restoration of the Bourbon family, who had so long enjoyed the hospitality of this country, was itself a strong foundation for confidence, that the peace would be secure and lasting; while the friendly relations between this country and Russia would, in all probability, be cemented by the visit of the august monarch of all the Russias. France, too, had received all that was necessary for her honour—all that she could reasonably demand: most of her foreign possessions had been restored, her own boundaries had been rather increased, and by this means the causes of future contention had, as far as possible, been removed. On this principle, also, France had given up all pretensions to permanent and extensive establishments in India: and this country had made several acquisitions highly favourable to her naval superiority. The people of this country had suffered many privations; but by their confidence in the government, and by the wisdom of the government, in acting on the energies of the people, the nation now reaped its reward in a secure and honourable peace. The noble lord concluded by moving the Address.

Lord *De Dunstanville* seconded the motion. The subject of the Treaty had been already amply and ably discussed, and the thanks of this country were due to the supreme Disposer of all events, and he was happy that those thanks were soon to be rendered in a more solemn manner. In addition to the great exertions made by this country, and the splendid talents and successes of the duke of Wellington, the cause had been powerfully assisted by Russia, and latterly by Sweden, Prussia, and Austria. The emperor of Russia, particularly, had evinced the greatest magnanimity throughout; and the exertions of Sweden, Prussia, Austria, and Bavaria, had produced the greatest effect, without which, the peace could not have been made on such favourable conditions. The thanks of the nation were also due to the Prince Regent's ministers. The English had been called by the late ruler of France a shop-keeping nation; but if the matter were considered merely on the principle of profit and loss, the money of the nation had been well expended. As to the duke of Wellington, it was impossible to speak in adequate terms of his services. As had been said of a great leader of antiquity, he had overcome envy by his glory. He did not wish to detract from the merits of the duke of Marlborough. Had he been placed in the duke of Wellington's situation, he would probably have done the same: more he could not have done. But the duke of Marlborough had been placed in much more favourable circumstances than the duke of Wellington. He had fought at the head of the armies of the greatest military power on the continent, except France. They all knew in what a situation Europe was when the duke of Wellington went to the continent,—what a tremendous preponderance France maintained by her vast armies, commanded by one who was the greatest military genius of the age. The glory of our illustrious general would be recorded in the page of our history, and he would be delivered down to posterity as one of the greatest of the heroes that this country had produced. His conduct was a noble contrast to the excesses which had been committed by other generals in the present war. The conduct of the duke of Wellington was a constant endeavour to mitigate the evils of war. The terms of the Treaty had been properly described by the noble lord as honourable to all parties. France had been preserved in nearly the same situation that she was in before the war. The terms were also honourable to Great Britain, inasmuch as she retained some of the colonies taken from France. Viewing the Treaty as honourable and advantageous to all parties, he was happy to second the Address moved by the noble lord.

Lord *Grenville* said, that if he felt any difficulty in cordially concurring in the Address which had been moved by his noble friend, it arose out of the Article regarding the Slave Trade, to which he had adverted on the preceding evening; but having signed a declaration of his opinion upon that head, he should content himself with that and the declaration which he now made, that his sentiments upon that point were unchanged, and would not disturb the unanimity which he wished to prevail in that House, in approbation of the principle of this Treaty, and which he wished to go forth to the people as the unanimous sentiment of the House. It was with this view that he had made the Article respecting the Slave Trade, which he, in common with others, so deeply lamented, the subject of a preliminary discussion. The only difficulty, therefore, he felt was, that by a strictness of construction, the Address moved by his noble friend might be supposed to convey an approbation of that Article. In all other respects, he most sincerely and cordially concurred in the Address, which he considered to have been wisely drawn up: First, with respect to its noticing, in appropriate terms, the firmness, the perseverance, and the magnanimity with which the people of this country had borne the privations consequent upon a war of 20 years duration, a conduct which had so essentially contributed to the maintenance of their own dearest rights and interests, and to the restoration of the tranquillity of Europe, a conduct which in all times to come would be remembered with gratitude, and which would go down to the latest posterity, accompanied by all that praise to which it was so justly entitled. Secondly, in its approbation of the principle upon which the Treaty was founded, that of cessions of the conquests made by this country, with a view to the general settlement of peace in Europe.

Nothing, in his mind, could be more clearly founded in sound policy, than the principle that the conquests we had made were not to be retained for our own advantage, but were to be considered as pledges in our hands for the restoration of the general tranquillity of Europe, upon a secure and permanent basis; and, happily, they were now so applied, with a fair and reasonable prospect of attaining the security so highly to be desired. There undoubtedly had been times in the progress of the contest, when it became the duty of ministers to offer a part of our conquests at the price of pacifiaation, but he, speaking individually, had never entered into any negociation, or seen as a spectator any negociation entered into with the late government of France, in which he had any hope of its leading to a permanent settlement of tranquillity in Europe. That government being itself an usurpation, was essentially military, and depended for support entirely upon its army—an army which could alone be supported by the aggression, the plunder, and the spoil of surrounding states. It was this situation of France, which rendered in his mind hopeless all expectations of the restoration of Europe to a state of permanent tranquillity. By the providential change which had taken place in the affairs of the continent, this obstacle had been removed, and we could have no better security for the permanence of the tranquillity of Europe, than the restoration of the descendant of the legitimate king of France to the throne of his ancestors. Of the just and liberal views of the monarch now so happily restored, he was personally convinced, but the great object attained was the restoration of those civil institutions in France, which were in unison with those that had grown up in Europe during several hundred years, and which had been forcibly subverted by the late usurpation. It was alone to a government founded on those civil institutions that we could look for that security, without which the peace of Europe could not be of long duration. This object being thus happily attained by the restoration of the legitimate monarch of France to the throne of his ancestors, the noble lord said, he would even have been ready to have gone further, in acting upon the principle of cessions, provided the settlement of the peace of Europe could thereby have been securely attained. He would even have been ready to have given up all our conquests, (for our possessions without them were, God be thanked, fully enough for our own security) with a view to the attainment of that great object. It ought not, however, to be concealed, in taking a view of this Treaty, that we had paid the price in cessions for obtaining the settlement of the peace of Europe, but that that important object still remained to be secured. It were much to have been wished that this important object could have been settled, or at least the basis of it definitively arranged, at the time the cessions we had made had been bartered for its attainment.

With regard both to Germany and Italy, the interests of this country were undoubtedly materially involved, in whatever territorial arrangements might be made there. With respect to Holland, it was most manifest that we had the deepest interest in the future arrangements for the security of that state; Holland, of itself being unable to resist not merely a protracted war on the part of France, but even a sudden hostile aggression. With this view it had been the policy of our ancestors to interpose between the Dutch territories and France, states belonging to a powerful monarchy, namely, the Netherlands, belonging to Austria, which formed an effectual protection to Holland against the hostilities of France. From some motives of policy on the part of Austria, but in his opinion with great folly, during the progress of the late Revolution in France, she dismantled all the fortresses of the Netherlands, and the consequence was, that they, together with Holland, fell a prey to the aggressions of France. What security it would be now deemed best to give to Holland, whether to restore the intermediate territories of the Netherlands to Austria; whether to vest those territories in another monarchy, or whether to give to Holland such an accession of strength as would enable her to secure herself, he could not presume to say, being ignorant of the circumstances which could alone enable him to form a judgment upon such a subject. But this he would say, that it was essential to the interests of this country, that a sufficient security should be provided for Holland, sufficient, at least, to enable that state to repel any hostile aggression on the part of France, until this country could make preparations to send a force to the assistance of her ally; and sufficient, with that aid, for defence, until whatever power in Europe might then be connected with this country, could also send a force to co-operate in repelling the aggression.

With regard to the frontier accessions of territory obtained by France under the Treaty, his noble friend, who moved the Address, had observed, that they were merely for the purpose of rounding her territory, and for the mutual convenience of frontier states, by exchanging pieces of land involved in each other's possessions. Were it nothing more, none but a pedant would object to the Treaty upon any strict ground of construction; but there appeared in the Treaty something more on the side of Savoy, where France had obtained not merely a trifling accession of frontier, but, as he was informed, an important military position, and that not merely a defensive one, but of an offensive character, and against which, as he understood, the king of Sardinia, on being restored to the inheritance of his ancestors, had loudly complained. He did not profess to understand the nature of the position obtained in this quarter by France, but such was the information he had received.

With regard, generally, however, to the principle and object of the Treaty, the Address had his sincere and cordial concurrence, and he trusted that the settlement of the peace of Europe would now be attained upon a secure and permanent basis. He rejoiced at the recognition in the Address, which might be considered to contain the sentiments of his Majesty's government of the principle of restoration, instead of that principle of partition which had led to so many evils. The principle of partition had given the first shake to the solid establishment of the peace of Europe, and during the first ten years of the late contest the endeavour to procure that union of the great powers of Europe, which had at length been so happily effected, had been frustrated, and every hope of the good to be derived from them, disappointed by the operation of this principle of partition, each power looking to aggrandise itself at the expence of its weaker neighbour, without considering that it thereby only rendered itself an easier prey to France. He rejoiced most sincerely that this principle of partition had at length been given up, and that the powers of Europe, aware of their true interests, had gone back to the only true principle, that of restoration, and the beneficial effect of this policy had been most apparent. He trusted that this principle of restoration would be persevered in, it being that alone upon which the peace of Europe could be permanently settled. He could not express his satisfaction in the general features of the Treaty, without at the same time stating the grounds on which that satisfaction was founded. After the convulsions which had taken place in every state of Europe, he did not expect that the object of restoring every country to its former situation could be followed up with literal strictness. But he wished to make this general impression on the minds of the public, that in proportion as the principle of restoration was adopted, would the peace be secure and permanent, but in proportion as the principle of partition was resorted to, would be the shortness of the period in which we should be again involved in the calamities of war.

There was only one sentiment more which he was desirous to express. After the immense sacrifices and unparelleled exertions made by this country, sacrifices and exertions only justified by the desire of preserving the happiest constitution that had ever existed in the world, he hoped that the habits of the last twenty years, would not make them forget that that constitution and a great armed force could not exist together. He would add, that the keeping up such a force would not be consistent with that part of the Address in which we were told, and told truly, that all the objects of the war had been accomplished, and final tranquillity restored to Europe. If such was our present situation, he would claim for his country, that we should return once more to the reduced military establishment which we maintained before the commencement of the war in the year 1791. He knew that it was necessary to keep up a larger force for an increase of territorial acquisitions abroad, and that was one reason why he was not very anxious to retain our distant conquests. Neither would the same expence be sufficient now for the support of an equally extended military establishment, but he wished the amount of the force kept up to be the same, or that a distinct reason should be given for every deviation from the former peace establishment. He conjured noble lords to let no exultation of triumph, no intoxication of success, no enthusiasm excited by feelings, which it would be base indeed not to participate and not to cherish, to draw them aside from the important consideration, that in economy and low establishments the true prosperity and security of this country consist.

The Earl of *Liverpool* said it would not be necessary for him to detain their lordships long. He should only trouble them with a few words on the general principle and stipulations of the Treaty, which he hoped would explain some of the criticisms —so he might call them, rather than the objections of the noble baron. In the negociation it was necessary to adopt one of two principles :—either a general Congress must be resorted to, or a Treaty must be formed between the allies on the one hand, and France on the other. Great and unavoidable delay must occur from the adoption of the former method, on account of the complexity of the various interests to be settled. The settling the boundaries and claims of France was the principal and immediate object. This, however, it was necessary to do while the allied armies remained in France, and while the impression of the victories which had been obtained was fresh in the minds of the French themselves. Neither was it proper that the forces of the allies should remain long in France. This object, therefore, had been attended to in the first instance; and the adjusting of the other interests had been referred to the general Congress.

What he should next advert to, was the principle on which the allies had conducted themselves in the negociation, which was, that no peace with France could be secure or lasting, which did not maintain the honour and independence of that country inviolate. In becoming the negociator of a peace, he always wished to consider himself as the arbiter of the different interests at stake, and as forming his decision on a fair and and comprehensive view of the circumstances and claims of all the parties. He believed that there was no treaty to be found which would stand the test of these principles better than the one which had been just concluded. Connected with that Treaty was the restoration of the ancient dynasty of the Bourbons, and it was no less necessary to the security of this country than due to every just and honourable feeling, to restore that dynasty to a respectable and commanding situation among the powers of Europe. After the calamitous events of the last twenty-two years, after the changes that had taken place, after the overturning of so many monarchies, he thought there was no other solid basis to propose than the returning to the ancient state of France, antecedent to the war of 1792. Sixteen months ago, what noble lord would not have rejoiced at the most distant prospect of obtaining such a basis, of which even the hope had at that time been relinquished? This basis in the present Treaty, if not rigidly, strictly, or literally, had been in all the material points substantially adhered to. France, with some few exceptions, had been reduced to her ancient limits. With the conquests which she had made, with the military spirit which she had imbibed, with the intoxication of so long a career of victory, it was not to be wondered at that France had required and obtained something beyond her ancient territory. The concessions which had been made to her were, —1. Avignon and other districts, which were, as the French termed it, *enclavés*, in their own territory. 2. Some addition in the Netherlands, for the purpose of connecting their line of fortresses together. 3. The fortress of Landau in Germany. As this was a military position, the best military authorities had been consulted before it was given up, but no danger was thought to arise from its surrender. On the side of Savoy, the greatest acquisitions had been made by France. The whole of the addition which had been made to her population amounted to between 6 and 700,000 inhabitants; and if we considered the loss of population which France had suffered in the late conflict, there was, in this accession of numerical force, no cause of alarm. No fortresses out of the ancient limits of France, or which did not formerly belong to her, had been conceded by the Treaty. All the fortresses in the low countries were withdrawn from the power of France. With these exceptions, France had been restored to what she was in 1792.

In the progress of the war it had fortunately happened that we had conquered all the colonial possessions of France. These it seemed neither just nor prudent to retain, but to throw them into the scale of the general arrangements about to be made. To preserve our authority in Europe, it was necessary not to proceed on a principle of colonial monopoly, which would diminish instead of increasing our power, and prevent our successful interference in the system of continental politics. Or even if it were in our power, it would not be for the interest of this country to shut France completely out of her colonial and commercial advantages. It was exactly in proportion as she was colonial and commercial that we had a power over her by attacking her colonies and wounding her commerce. The principle of a restitution on which we had proceeded was the following: 1. We had retained the French factories. 2. We kept the Mauritius—this would be an important acquisition to France, if she possessed an empire in India, but was otherwise of no value to her. 3. The island of Malta was retained as the key to the Mediterranean. 4. We recovered the island of Tobago where there was not a single proprietor who was not English. This island had been conceded to France at the peace of 1783.

The noble earl then proceeded to state that there were many points in which he agreed with the observations of the noble baron, particularly as to the importance of Holland and the Netherlands to this country; but on that and other points, there was, he conceived a perfect good understanding between the different powers, and he hoped there were no material difficulties that would not be overcome at the ensuing Congress. To that Congress he was convinced England would come with greater weight than if peace had not been already concluded. The other interests implicated in the Treaty would be adjusted, with a view to the state of things before the war. He was convinced that Europe had never enjoyed so much happiness as from the time of the English Revolution in 1688, to the French Revolution in 1789. It was his object, therefore, to bring things back as much as possible, to the state they were in at that period; but this object, however desirable, could not be completely obtained, after the changes and convulsions of every kind which had taken place.

There was one observation more which he could not help making on that part of the Address, which declared that we had arrived at the great objects of the war. What were those objects? We had entered into the war in 1793, to defend our ally, the government of Holland, from the invasion of the French. That ally had been restored to independence, and the lawful family, the House of Orange, to the throne. During the whole course of the contest, the balance of power in Europe, though, in our despair, the term had been almost forgotten, was the wished-for end of all our efforts. But now the exorbitant power of France had been reduced within reasonable, if not within her ancient limits. Other powers had penetrated into the heart of France, had made peace in her capital, and had thus recovered their equality in strength and rank, and public opinion. At one time the Peninsula presented the only consoling prospect to our hopes; but now no wish, no object had been left unaccomplished. Malta had been, at one time, stated to be the cause of the war. This hardly required refutation. Again it was said, that the object of himself, and of his former colleagues, was the restoration of the Bourbons. This was also false; though he was convinced that we could have had a satisfactory peace with no other government in that country. At the the conclusion of other wars we had sometimes abandoned our allies, and consulted only our own separate interests. This had been the case in 1763. The present peace was made in conjunction with our allies, with their full approbation, and with their entire gratitude for the services we had rendered to the common cause. Never was there a moment in which the character of Great Britain stood so high as at present. This was not a visionary and ideal source of exultation: for character was strength.

On the motion for the Address being then put, it was carried *nem. con.*

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## HOUSE OF COMMONS.

*Tuesday, June 28.*

Petition from the Society of Friends, called Quakers, respecting the Slave Trade.] Thirty-seven petitions were presented from various places, praying for a revision of that Article of the Treaty of

Peace with France, by which the continuance of the Slave Trade was to be permitted for five years in the colonies to be be ceded to France. Among them was the following from the Society of Friends:

To the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled.—The Humble Petition of the Society of Friends, commonly called Quakers.

"Sheweth—That your petitioners having for a long course of years felt it there religious duty to advocate the cause of their oppressed fellow-men, the natives of Africa, and to protect against that combination of enormities, the Slave Trade, rejoiced to see this abominable traffic, first condemned by the British parliament, and then made felony by the same high authority; they rejoice that so foul a blot tarnishing the reputation of this free and enlightened country, was wiped away—that this disgrace to the professors of the Christian religion ceased to be the crime of Britain; they rejoiced, not only on account of the unhappy victims of avarice, thus rescued from destruction, but also for themselves and their fellow subjects, in the belief that this virtuous procedure of the legislature would draw down the Divine Blessing upon this country: and they indulged a pleasing hope, from the discontinuance of a practice which must have powerfully operated to prevent the progress of Christianity in Africa, that the time was approaching, when amongst the numerous inhabitants of that quarter of the globe the inestimable blessing of the Gospel Light might be widely spread.

"Your petitioners, therefore, cannot but contemplate with feelings of grief and dismay the consent on the part of this country for France to renew this system of robbery and murder, and to carry it on for a period of five years; should this take place, they think it but too evident that the generous effort now making to diffuse instruction and promote improvement in regions to which so large amends are due for grievous and long-continued injury, will be in vain; and that the deluge of blood which has been stopped in Europe, will now take its course through unoffending and defenceless Africa. Under these circumstances it will be difficult to feel cordiality for a nation, which by stipulating for itself the revival of a commerce in the persons of men, shall have been the cause of evils so enormous; and your petitioners are also impressed with the consideration, that as no state, while engaged in deliberate murder, can expect the countenance and protection of Heaven, there is great reason to fear that France may on this occasion, by seeking fresh calamities to herself, and (unhappily also for for this country) possibly sowing the seeds of a new war. But your petitioners derive consolations from reflecting, that the expected Congress of the principal European powers may afford the opportunity of doing away, and immediately and for ever, the reproach of this traffic from the Christian name; anxious that an opportunity so momentous should not be lost, and feeling that the multiplied blessings of Providence to this country should, from a sense of gratiude, excite to increased exertion in the cause of justice and beneficence, your petitioners very earnestly implore that you will take this subject into your most serious consideration, and adopt such measures as in your wisdom may seem meet, and as the importance and urgency of the case require.

"Signed in and on behalf of a meeting representing the Society of Friends in Great Britain, held in London, the 28th of the 6th month, 1814."

STREETS OF THE METROPOLIS.] Mr. *M. A. Taylor* rose to call the attention of the House to the present wretched state of the streets of the metropolis, which was evident to any man that walked along them. He wished to know what was the fund for keeping them in repair; and when he had learned that, he should propose a remedy. Some years ago there existed a regular board for paving and lighting the streets, but quarrels had arisen, some parishes were exempted from contributing, and he doubted if the fund were now applied to the repair of the streets; but rather thought it was applied to general parochial purposes. The emulation among the different water-companies, he believed to be a principal cause of the state of the streets. It was his intention next session to move for leave to bring in a bill on this subject; as the present session was too far elapsed to do it with effect. The hon. gentleman concluded by moving. 1. "That there be laid before this House, an account of the yearly amount of the assessments made for the last four years in the several parishes within the bills of mortality, for the paving and lighting of the streets, lanes, and passages, within the said parishes. 2. A like account from the commissioners for paving and lighting certain parts of the city of Westminster, distinguishing in each account the amount of the sums disbursed for paving, together with the amount of the sums disbursed for lighting."—Ordered.

FEES OF COURTS OF JUSTICE.] Sir *John Newport* rose to make the motion of which he had given notice, relative to the increase of fees in the different courts of justice. He said, it was both the right and duty of the House to enquire into the state of the courts of justice, and into the conduct of the officers connected with them. Should that controul get into disuse the suitor would not have that protection which he was intended to have by the constitution. From the earliest times such a right had been exercised—from the restoration down to the revolution, and at various periods subsequently to that era, the last of which was in 1798; since which time there had been no supervision by that House, though called for by the union of the two countries. Bred himself to the profession of the law, he early felt a high respect for the profession; and was far from imputing any improper motive to the high officers who presided in the courts of justice. He should scarcely have thought it necessary to make this declaration, but for some expressions that had been used on a former occasion. It was one of the standing orders of the House, that such a committee should be appointed to exercise supervision, and it was his intention to place such a resolution upon the Journals. After the restoration, lord Hale had made an enquiry into the state of the courts of justice, and proposed many reforms, which had not been carried into effect; for example, that no office should be discharged by deputy, and that there should be no sale of offices connected with the administration of justice. He quoted lord Hale as a great authority, and he had said that fees were taxes laid on the subject, and should be applied to a common fund. The right hon. baronet then went into an enlarged detail of the steps that had been taken by parliament at different times on this subject, and stated that a commission had been appointed in 1799, though no proceedings had taken place in consequence of it. He should now move, "That it appears to this House fit and proper, that an enquiry should be made into the state of the Courts of Justice, and the offices connected therewith, as to the duties, salaries, fees, and emoluments, of the several officers, clerks and ministers of justice, similar to the enquiries instituted in the years 1664, 1693, 1732, 1757, and 1798, more especially as the union of parliaments of Great Britain and Ireland has taken place subsequent to the latest enquiry by this House, and that in Ireland, the latest examination by either House of Parliament was in the year 1733." The right hon. baronet also intimated his intention of following this motion by a motion to address his royal highness the Prince Regent, praying that he would be graciously pleased to cause to be laid before the House the reports that had been made by all the commissions which had passed under the Great Seal for examining into the Fees of the said Offices, &c.

The Hon. Mr. *Law* said, he expected that the motion of the right honourable baronet would have been of a different nature. He had been led to this expectation from the observations made when the subject was first introduced. Particular cases of an improper increase of fees were then stated, which were not supported by the returns laid upon the table. The court of King's-bench had been particularly alluded to, and it was said that a considerable increase had taken place in the fees paid to the clerk of the rules. The truth was, nothing of the kind had occurred, nor was it in the power of the court to authorise it. In the year 1787 there had been a dispute upon this subject, and it was then said that the fees paid to the clerk of the rules were increased; but upon enquiry it was found not to be the case. The same might be said of the clerk of Nisi Prius, who had been alluded to. He would not deny that parliament was in the habit of making enquiries upon this subject, but not until some ground for enquiry was made to appear. The tendency of the motion was, in his opinion, to cast a reflection upon the courts of law, and he must, therefore, oppose it.

Lord *Castlereagh* said, he had not been in the House when the grounds of the motion had been stated; but as far as he could collect of what had then taken place, the House could scarcely sanction so grave a proceeding, without some broader grounds being laid before them than had been stated by the right hon. mover. The House was entitled to expect that either some particular abuse should have been stated, or that some general ground should have been established. The proposed commission could only go to trace out the original grounds of the fees of courts, and how far the existing practice of the courts agreed with the original principles. The practice was a presumption of the fairness of the mode in which the business had been done. In the present instance, no practical ground had been pointed out in any particular court; but only some general plan of reform appeared to be in contemplation. He should object to the motion, as he was not aware of any particular abuse, and no public benefit seemed likely to arise from it; nor was he prepared to agree that something was wrong, where nothing had been proved.

Mr. *Ponsonby* did not think that the motion tended to throw any imputation upon the courts of justice. Upon any former occasion, when an enquiry of this kind was gone into by the House, it was not considered to imply any reflection of this kind. The character of the officers in the different courts was best supported by answering to enquiries of this kind; a refusal to answer such enquiries would tend much more to fix an imputation of the kind alluded to. The officers of the different courts might, without the knowledge of the judges, act improperly with respect to fees. He had heard reports of this kind, and he believed not without some foundation. On the propriety of paying officers by fee or salary, he would not now give an opinion. In some cases, one mode might be preferable to another.

Mr. *Bathurst* protested against the practice of subjecting even unsuspected persons to enquiry, in order that their characters, as it was said, might come more pure from the trial.

Mr. *Stephen* did not think the judges had been well treated: he had expected, after what had fallen from the right hon. baronet on a former occasion, that he was prepared with abuses in some quarters, and with pregnant suspicions in others; and even the judges had been glanced at. [Sir John Newport here denied that he ever insinuated such a charge against the judges.] The right hon. baronet had obtained all the various returns of fees which had been ordered, yet not one of those returns had furnished him with a remark, much less with a charge, against any of the parties. He insisted, that a commission would imply suspicion, and thus diminish the high respect in which the judges ought to be held. It would also be a further unnecessary trespass on the time of the courts. Much needless trouble had been given already: for instance, the accomptant-general had been ordered to give in an account of the dead fund, with the names of all the persons to whom it belonged. If that officer could have so done, he would have at once dispensed with the labours of all masters in chancery, whose business it was to examine and decide upon the rights of the claimants. The account, also, under such circumstances, must have embraced nearly half the population of the kingdom.

Mr. *W. Smith* said, that all the objection to the production of the return last alluded to by the learned gentleman, was, that the motion was not properly worded. This might have been easily remedied, and the object of the motion fulfilled by a slight change in the words. Such motions did not, in his opinion, throw any imputation upon the courts. When an enquiry was made into the enormous fees paid to the tellers of the Exchequer, was it supposed to throw any imputation upon them? They were in the receipt of 20,000*l.* a year. The fees were legal, but was that a reason why enquiry should not be made? The same might happen in other courts. The officers might receive from the increase of business, an amount of fees out of all proportion to the duties performed. Even with a view to ascertain the amount of fees, a revision of them, such as the motion required, might be of use. The right hon. baronet had taken the best method of preventing any imputation upon particular courts, by moving for a return from all of them. He had heard, and he believed it would be proved, that in many courts there were received by the officers, what were called expedition fees, to the great inconvenience of the suitors. This demanded enquiry, and he must therefore think, that the motion was very far from being such as it was represented.

The *Attorney General* said, that if the present motion had been the first which was made on this subject, no class of men, he was sure, would more anxiously wish to have their conduct scrutinized and investigated, than the gentlemen who at present held the situations which had been particularly alluded to; but he begged the House to consider the nature of the motion which preceded the present. It was for a rate of increased fees, for the last 20 years; which looked like an insinuation that the officers of courts of justice had either received those fees without the knowledge of those who presided in the different courts, or that the proceeding was connived at by high judicial characters. From what fell from the right hon. baronet, it seemed, that he had heard, and he believed, that abuses did exist with respect to fees. But it was well known, that there were guards on the charges of professional men, which did not exist amongst any other class of society. It had been observed by some gentlemen, that an officer might improperly obtain an increase of fees, without the knowledge of the judge. Now, it was impossible that this could ever be the case. No officer could exact an improper fee, without the connivance of the judge, in open court. There was not an attorney's clerk, of six months standing, who did not know what the regular charges were; and if, in any instance, they were exceeded, when he went home to his office, his employer would at once tell him, "You have paid too much." When a suit was terminated, the costs were taxed. The two contending attorneys met to settle the important question of what one should pay the other. In that case, the master axamined the items frequently in the presence of the adversaries, one of whom was ready to object to every 6*s.* 8*d.* contained in the bill. Even after this, if the master allowed too much, it was competent to the party supposing himself injured, to have an application made to the court, to have the bill returned to the master, for the purpose of having it revised. An hon. gentleman said, it had been asserted, that expedition fees were taken by the officers of different courts. Now, it was not extraordinary that slander should propagate unfounded charges against a profession that was by no means popular. But, if any such irregular proceeding had really taken place, it would have become the subject of public investigation in a court of justice, and would, after full argument, have been decided upon by all the judges. He never knew, within the last 30 years, of any such thing having occurred in the court of King's-bench. Those who attended that court, for a single day, in term, would see whole reams of affidavits handed up to the clerk of the rules (than whom there was not a more correct or honourable officer) which were to be copied, and delivered to the different parties. When, from an extraordinary press of business, a party found it impossible to get a copy of one of these documents so soon as he could wish, it was common to ask leave to take the original to a law-stationer, to have it transcribed, or to request the master to send it for that purpose, the person wanting the copy offering to defray the expence; this, however, could not be looked upon as making an improper charge, or as receiving a fee to expedite business. He should, therefore, vote against the motion, coupled as it was with those preceding observations of the right hon. baronet, which would induce the people to suppose that some abuses had been really detected, and that therefore the enquiry was instituted.

Mr. *Hawthorn* having been one of the parliamentary commissioners, appointed to enquire into certain abuses in Ireland, discovered, in the course of the investigation, that an increase of fees had taken place in some of the courts of justice there, which had occasioned much discontent. On this account he should vote for the motion.

Sir *S. Romilly* said, that, in voting for the motion of the right hon. baronet, he thought it right to state, that he did not think it cast the slightest imputation on any of the officers connected with the administration of justice. His learned friend, the Attorney General, seemed to think that it did throw out an imputation against those gentlemen, on account of the nature of the motion which preceded it; and on this principle, he founded his opposition. So that a regular parliamentary measure was to be refused, because, on a former occasion, the right hon. baronet had taken a false view of the subject, or had uttered an ill-judged expression. He should be very happy to say, as his learned friend had done, that no abuses existed in courts of justice; but, in his conscience, he could not say, that the practice of taking expedition fees did not exist. On the contrary, he believed, from the information he had received, that the custom of taking expedition fees did prevail.

The *Attorney General* (across the table) "As a bribe?"

Sir *S. Romilly*—Yes, as a bribe.—I believe the business of some individuals is done in preference to that of others; and that the officer so favouring one set of persons, receives an emolument for it. This, I believe; though, perhaps, it would be difficult to prove it.—If his learned friend who spoke early in the debate (Mr. Stephen) had said, that he had made enquiry upon this point, and found that no such abuse existed in that part of the profession to which he belonged, he should have been happy to have heard the declaration.

Mr. *Stephen* said, he could not answer what, at the time he delivered his sentiments, had not been charged. No mention had then been made of expedition fees. He certainly had made no enquiry on this subject; because he had never before heard the allegation that such fees had been demanded. He was sure that nothing of the kind existed in any office with which he was acquainted.

Sir *S. Romilly* expressed his conviction that such a practice as that he had alluded to could not exist with the knowledge or countenance of his learned friend; but he was not therefore prepared to say, that it did not exist at all. He thought it would give great satisfaction to the public if a committee were appointed to enquire into the fact; because every indulgence which was given to an opulent suitor, was granted at the expence of one whose situation in life was less favourable. With respect to what his learned friend, the Attorney General, said, that abuses of this nature could not exist, because the system of taxing fees prevailed; surely he did not mean to contend that abuses had never prevailed—and yet the taxation of costs had existed from all time. With respect to the supposition, that the motion insinuated an imputation against the judges, he should merely observe, that when a commission was appointed, in 1799, to enquire into the fees of courts of justice, the judges of that time did not think that any imputation was cast upon them by the measure. And, highly as he respected the great judicial characters of the present day, with some of whom he was on terms of intimacy and friendship, he could not conceive why they should object to a proceeding to which their predecessors had been subjected.

Mr. *Stephen* wished to know, whether, when his learned friend spoke of expedition fees being received as a bribe, in different offices, he meant to be understood to say, that the masters of the Court of Chancey had, to his knowledge, received any fee of that kind?

Sir *S. Romily* disclaimed any such intention.

Mr. *Preston* stated, that he knew an instance, where a suitor in the Court of Chancery had paid expedition fees. The system of demanding expedition fees bore particularly hard on infants, whose guardians would not defray such extraordinary expences; the consequence of which was, that their business was very much procrastinated.

The *Solicitor-General* readily allowed, that the motion of the right hon. baronet did not throw an imputation on any particular person; and he as readily admitted, that it was competent for the House to examine the rates of fees of the different courts; but yet he believed it was not customary for parliament to agree to such a motion, without some distinct circumstances were stated, on which they might found the necessary proceeding. He believed, the right hon. baronet was of opinion, as some of those who supported the motion seemed to be, that, either from corruption, inadvertence, or the lapse of time, something wrong had taken place in the apportionment of fees. Now, had this arisen from corruption (which the right hon. baronet had disclaimed), he might have adduced circumstances in proof of that corruption; or if, from inadvertence or lapse of time, after the enquiries the right hon. baronet had made on the subject, he would have been able to support his statement of the errors that had crept in. But he had laid no ground whatever to induce the House to accede to his motion. He had not stated any act of injustice to have been committed by any class of officers; and, therefore, he should oppose the motion.

Mr. *Abercromby* said, that if, upon every occasion where that House were called upon to interfere, it was necessary that positive proof, or, at least, circumstances amounting to a pregnant suspicion, should be brought under their consideration, before they could proceed, their privilege to take up questions of great importance to the public, would be very much curtailed. He would ask, whether stronger grounds than those already detailed in the course of the debate, were usually stated to the House, when the intervention of parliament was called for? They had heard it stated, by gentlemen whose situation gave them a perfect opportunity of forming a correct judgment, that abuses did exist. According to the belief of the one, and to the actual knowledge of the other, improper fees had been demanded.

He should, therefore, vote for the motion, being conscientiously of opinion, from the information stated to the House, that expedition fees were often exacted, in a manner subversive of the due course of justice.

Mr. *Gordon* supported the motion, in the hope that it would draw the attention of the public and of government so strongly to the consideration of the subject of fees, as would end in the abolition of fees altogether; and also do away the system which at present prevailed, of the sale of places in courts of justice by the great law officers.

Mr. *Law* said, whatever the custom might have been heretofore, the present Chief Justice of the King's-bench had never sold any situation under him.

Mr. *Wetherall* opposed the motion, the necessity for which was entirely done away, by the return of fees made to the House, in consequence of the former motion of the right hon. baronet.

Sir *John Newport* rose to reply. He adduced instances of fees having been raised by the officers of courts by the authority of the judges only, and pressed on the House their obligation to exercise a vigilant superintendance over those courts. There was sufficient ground, he observed, for the enquiry, from the statements of several members, and from the general state of belief on the question. He had received a letter from a most respectable professional gentleman in Ireland, containing a list of the fees which had existed in the courts of justice in that country in 1733, with an account of the exorbitant augmentations which had been made. With this list of 1733, the present returns did not correspond. Against the fees, however exorbitant, the attorneys could make no remonstrance, because they thus drew on themselves the enmity of the court. According to the present practice in Ireland, documents referred to on the trial were taxed, and not only those mentioned in the pleadings, but those hinted at in a counsel's statement. The amount of fees in an action for 10*l.* was as great as those on an action for 1,000*l.* Of from 20*l.* to 27*l.* which was the general amount of costs in an action, 18*l.* went to the officer. These facts had been stated to him by letter, and he had not wished to have stated them to the House, but for the opposition to his motion, because they ought to be the subject of investigation. In 1731 the House of Commons had given a precedent for the enquiry which he demanded by an investigation which they had made into the subject, without any allegation having previously been made. The result was, that abuses were found to exist in all the courts; and it was resolved, *nem. con.* that the abuses had arisen from long disuse of enquiry; and an address was voted to the crown, to settle the fees in all the courts on a reasonable and legal footing. The right hon. baronet concluded by calling upon the House to exercise the power which they possessed, for the purpose of protecting the subject.

The House then divided, when the numbers were—For the motion, 49: Against it, 48. The motion was accordingly carried.—Sir John Newport then moved,

1. "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to give directions, that there be laid before this House, a report of all proceedings had by virtue of a commission under the great seal for examining the duties, salaries, and emoluments of the several officers, clerks, and ministers of justice, and for reporting what regulations may be fit to be established with respect to the same, for the institution of which commission, an humble Address was presented to his Majesty by this House on the 13th day of June, 1799.

2. "That he will be graciously pleased to issue a commission under the great seal, for examining the duties, salaries, and emoluments of the several officers, clerks, and ministers of justice within the united kingdom, and for reporting what regulations may be fit to be established respecting the same, and to direct that the proceedings of such commission may be laid before parliament as early as may be after the commencement of the ensuing session."—The motions were both agreed to.

MOTION FOR PAPERS RELATING TO THE SLAVE TRADE.] Mr. *Horner* moved, That the several entries in the votes of this House of the 3d day of May last, and the 3d day of this instant June, of the Address agreed to by this House, to be presented to his royal highness the Prince Regent, relative to the abolition of the Slave Trade, and of his Royal Highness's Answer thereto, that it would be the earnest endeavour of his Royal Highness to accomplish the object of it, might be read; and the same being read,

Mr. *Horner* then said, that the motion which he had to submit to the House, though it related to the same subject as the motion which had been last night discussed, differed essentially from it, for instead of calling on the House to come to any conclusion, it merely contained a call for the information necessary to a correct judgment on the question which would be submitted to the House to-morrow. In the Address of the last night, he, for one, had concurred most cordially, nor was he disposed to under-rate the good effect which that Address would produce; for he did not doubt that, if there was further opportunity of exertion on the subject of the abolition of the Slave Trade, those who directed his Majesty's councils would go to the discussion with additional power from the reiterated expression of the wish of parliament.

But there was another business to be done; they had to express their opinions, not prospectively, but on the Treaty which had put an end to the misery of that protracted war with which Europe had been so long desolated. This Treaty was to be discussed in all its bearings, but if there was one point more interesting than another, it was the stipulation with relation to African Slavery, and to enquire how far ministers had acted up to the wishes of the parliament and the country. As to what had been done by the noble lord opposite to him he was wholly uninformed, and the object of his motion was to require this information in which he was deficient—to know how far the noble lord, acting under the direction of the House, and the sense of his own duty, had wisely taken those measures which were calculated to give effect to the benevolent disposition of the whole nation on this subject.

He wished distinctly to be understood as to a point which had been mentioned in the discussion of last night; it had then been said by the noble lord, that it was the argument of those who disapproved of the stipulation, that the abolition of the Slave Trade should be *sine quâ non* of a treaty of peace. He did not know that such an alternative had been suggested as proper, nor should he have supported such an alternative. If he were informed the peace would have been impracticable, without such a stipulation as had been adopted, it would, without doubt, be wise to postpone what was the object of all our wishes: but it was necessary that he should have much more information on the subject before him than he already had, before he could believe that such an alternative was at any time necessary. That such an argument might have been adduced by the negociators, any one who had ever had curiosity enough to look into diplomatical transactions, could well believe; but propositions were often laid down in the commencement of a negociation, which were departed from at the conclusion, without difficulty. There was another point in the discussion of last night, which he thought it necessary to allude to. It had been said by the noble lord opposite, that the question of the abolition could not have been mixed in the negociation with the stipulation for the cession of the colonies in our possession. The reason of this he could not comprehend. The criterion of the policy of a proposition, was the effect of that measure on the power with whom we had to negociate. Now, so far as it appeared from the statement of the noble lord, he had voluntarily thrown away the only benefit which we could throw into the scale against the abolition of the Slave Trade on the part of France. Though the House could not decide, in the actual state of their knowledge, that the noble lord had acted unadvisedly, yet they could say that they did not possess information enough to enable them to judge fairly.

Why, in this state of ignorance, should the House depart from the old practice of demanding information? The only reason adduced to the contrary was, that the pretensions advanced during the negociations, would, by being published, bind the different powers to support them. But at least the House should be permitted to know what the conduct of the noble lord himself had been. They knew the grounds on which the noble lord must have urged the immediate abolition, and the futile reasons by which they must have been opposed. These arguments might be wrapped in the mystery of diplomacy; but it was quite improbable that any thing could have been adduced which had not for the last twenty years been known to every man of education in this kingdom; there could be nothing of novelty in the reasoning. Why, therefore, should not these discussions be published? for if there was any sincerity in the wish of the French government to undeceive the public in France on this question, they could desire nothing more than that the reasoning against the abolition should be published for the purpose of being refuted. It would be curious to see what reasoning had been made use of by the Prince of Benevento on this subject—what new views he entertained on the subject of the rights of man—so contrary as they must have been to those which he had formerly entertained! It was certainly much to be desired that an opportunity should be given to apply the sense of this country to dispel the senseless prejudices which existed in France on this subject. Yet if there was nothing in this argument, the House could recur to its constant usage; this usage was, that when they were dissatisfied with a treaty they should require information on the subject. It was incumbent, however, to shew by the production of the documents, that there were such insurmountable obstacles to the immediate abolition, that the House might with justice to itself and the country, say "Aye!" to the demand which the noble lord was to make of an acquittal on this article.

The House on the 3rd of May had unanimously desired that care should be taken in the Treaty of Peace to bring about an universal abolition. The general wish—was it necessary to say the general expectation?—was, that a total abolition might take place. How different the result! The traffic of one of the greatest nations in Europe had been renewed (for during twenty years it had been interrupted)—renewed to an extent, of which the House perhaps had no conception. From the best authorities it appeared, that previously to the Revolution, the black population of the French colonies amounted to 800,000 persons, to maintain which, 40,000 negroes were annually imported. Could any man without horror and shame contemplate the misery thus immediately produced by a treaty, into the grounds of which, if they did not enquire, they virtually became parties. But this was not all. In many colonies the population had been wasted since the Revolution, though, extraordinary as it might appear, in St. Domingo during the dismal period of revolt and rebellion there, the population had increased—so superior was the worst species of liberty to slavery! Extraordinary importations would, therefore, be made to those colonies where the population had diminished. Even here the evil produced by the Treaty did not end. By the vigorous manner in which the abolition laws of this country had been carried into effect, the Slave Trade had been rooted out in a great part of the coast of Africa—there being only one small island north of the line Becao, possessed by the Portuguese. But now Senegal, Goree, and their dependencies having been restored to the French, all that coast would be thrown back into its former state of misery and desolation. Not only would this unhappy country be subjected to the evils of this terrible traffic on the part of the French, but on the part of the Portuguese; for, under a treaty which had been concluded with the prince regent of Portugal, under pretence of abolishing the Slave Trade by degrees, that nation was permitted to trade in slaves with any settlement where this traffic was continued by the power which possessed it.

Thus much evil had been done by the Treaty, and should they say, in the zeal of their parliamentary confidence, that the noble lord had acted zealously and widely? It was quite improper to place such an extravagant confidence in the noble lord without a knowledge of the reasons or facts on which he had acted. It was not, however, to the transactions at Paris that the object of his motion was limited. There had been repeated addresses from that House to the throne, which had always been most graciously answered, on the same subject as that of the Address of the 3rd of May, namely, to pray the crown to endeavour, in any arrangements entered into with foreign powers, to adopt measures for the universal abolition of the Slave Trade. It was, therefore, important to learn whether, before our armies had entered into France, arrangements had been made with the allied powers on this subject, and whether in the discussions at Frankfort and other places no time had been lost in coming to a distinct understanding on the subject, and making known that the colonies which we held we were ready to restore for the sake of peace, but not unless that peace were coupled with an abolition of the Slave Trade. The learned gentleman said, he held it perfectly proper that the abolition should not be made a *sine quâ non* of peace, but that it was also most desirable that the restoration of the colonies by us and the abolition of the Slave Trade on the part of our late enemies should always have been put forward together. It was too great a stretch of confidence, he repeated, for the House to suppose, that in all these particulars the members of his Majesty's government had acted wisely, without having the least information on the subject.

The learned gentleman, adverting to

the assertion of the noble lord, that the French were generally ignorant upon this subject, admitted the possibility of such ignorance, so far as regarded a certain portion of the people. That the upper circles, for instance, who had been for some time resident, had become so depraved in moral sentiment, so ignorant, or so indifferent with respect to whatever concerned the interests of liberty and humanity, he thought not improbable; but he felt it difficult to believe that the great body of a civilized and enlightened nation like France, could be uninformed or insensible upon a question of such importance as the abolition of the Slave Trade. There must, indeed, be something preternatural about France, if such insensibility existed in such a nation. Then, assuming the contrary, what peculiar sense of interest could prompt the French people to be so peculiarly tenacious for the continuation of the Slave Trade? For several years they had, in fact, known nothing about it, or the colonies in which it had been carried on, that could induce any popular solicitude to maintain or revive it. Two of the colonies restored to France, namely, Guadaloupe and Martinique, notoriously required no importation of slaves, and of St. Domingo, the present generation of the French knew nothing but that which was calculated to excite their horror, from a recollection of the fate of that gallant army which was sent there to perish, because it was attached to a rival general.

But, notwithstanding these circumstances, the noble lord had acceded to the Article under consideration, stating, however, that the French government assured him of its disposition and purpose to mitigate the evils and limit the extent of the Slave Trade. If, however, this assurance were sincere, and should be fulfilled, what must become of the plea of reverence for public prejudice and national sentiment, for that prejudice and sentiment were but too likely to derive strength from the embarkation of capital, and the acquisition of profit? That was, should any profit arise. For really the prospect of profit to France seemed very questionable, particularly, from the difficulties that must attend the re-acquisition of St. Domingo. Considering, then, that no such prospect could be much relied upon, and that France was not therefore likely to insist upon the maintenance of this odious traffic; considering also the situation of France, the concurrence of the allies in one sentiment upon this subject, he could not help thinking that our government was entitled, as it was bound, to press for the entire abolition of the Slave Trade, which was a proposition it would be idle to suppose that the French government in its defeated and humble state could have successfully resisted. He could not, indeed, persuade himself to believe, that if the zeal and talents of the noble lord had been effectually employed with that view, the complete acquiescence of the French government in the abolition of the Slave Trade could not have been obtained. At least such a case as he had stated required explanation, as to the conduct of ministers in pursuance of the addresses of parliament, and the wishes of the country upon this important question. The hon. and learned gentleman therefore concluded with moving, "That an humble Address be presented to his royal highness the Prince Regent, That he will be graciously pleased to give directions, that there be laid before this House, copies of all representations made on the part of his Majesty's government during the late negociations for peace, and of all communications which passed between his Majesty's minister and the allied power, relative to the abolition of the African Slave Trade."

Lord *Castlereagh* complained of the motion as uncandid, and he would even say unparliamentary, from the manner in which it was brought forward. He could not, indeed, disguise from himself that it involved an attack upon his Majesty's ministers; and although the learned gentleman was pleased to compliment them on the other parts of their conduct, and to admit that they had faithfully followed up the principle and policy recommended by parliament, yet he called upon them to stand on their defence, and to produce evidence in their justification. But while the learned gentleman dwelt so much on the conduct of ministers, in the Article under consideration, it was not too much to expect from his charity some acknowledgement of what ministers had done in other respects to forward the wishes of parliament and the public, with a view to the abolition of the Slave Trade. This, however, the learned gentleman had omitted to state, and, after the Treaty had been a month on the table, he came forward with a motion, calculated to cast a doubt upon the character, and to depreciate the merits of that important transaction, the very night before it was fixed for discussion. Such conduct he could not help pronouncing uncandid, and quite inconsistent with parliamentary usage. It was unquestionably true, as the learned gentleman had stated, that the disposition of our allies must be taken into view and connected with that of France, in order to judge fairly upon this question as it affected the course pursued by his Majesty's ministers in the late negociation. For no one could raise a doubt as to the propriety of abstaining from any proposition in which our allies did not concur, or at least of declining to insist upon any measure likely to dissolve the confederacy. But the fact was, that the communication which had taken place with our allies upon the point under consideration, could not now be laid before the House in due time; and he put it to the candour of the House, whether it would be fair to suspend its judgment upon the merits of the Definitive Treaty, until documents referring to the correspondence of many years back could be produced, especially considering the time that had elapsed since a copy of the Treaty had been laid on the table, and within which time the learned gentleman might have brought forward his motion. Independently, however, of this consideration, he should resist the motion of the learned gentleman, because he felt fully convinced that the production of the documents alluded to would serve to prejudice the interests of the great question to which that motion referred. But recurring to France, it was to be recollected that we were to treat with her as an independent nation, and that she was entitled to say to us, "We will not become more moral because you give us an island or two." The noble lord repeated that France was master of her own conduct, and she had a right to demand that another nation should not dictate to her. He, indeed, was fully impressed with the opinion, that the best way of promoting the abolition of the Slave Trade was, to leave the French government to its own discretion, even if we had the power of dictation; for in framing a stipulation for an unwilling government, what guarantee should we have for its observance? But the learned gentleman, amidst all the variety of his points and questions, took no view favourable to those who framed the Article under consideration. No: all his inferences were against the conduct of ministers; at least on this branch of the negociation; and this, too, while he professed confidence in their disposition. As to the assertion, that the French government was willing to keep the French people in ignorance with respect to the conduct of this country upon the subject of the Slave Trade, it happened, unfortunately for those who used the assertion, that since the discussion of last night, a fact had transpired to refute that assertion; for the last Moniteur contained a report, *in extenso,* of the late proceedings at the Freemason's tavern; and this furnished a sample of the disposition of the French government, upon which it was fair to found a calculation with regard to this interesting question. But when it was stated that the French people were likely to be indifferent about the Slave Trade, because they had been so many years deprived of that Trade, it was to be remembered, that while the French were without the Slave Trade, they were also without colonies, and that it was natural on their part, comparatively unenlightened as they were upon the subject, to connect the recovery of the latter with the pursuit of the former. The popular impression in France, was, therefore, more excusable than some gentleman seemed to think, and unless that was contended for, which the learned gentleman disavowed, that we should engage in a crusade against all nations unwilling to abolish the Slave Trade, we were called upon to yield to that impression. Then, as to the extent to which the Slave Trade was likely to be carried, in consequence of the Article objected to by the learned gentleman, it was admitted that to two of the ceded islands, namely, Guadalope and Martinique, no importation was likely to take place, while, from the situation of St. Domingo, it was improbable, that even for five years any merchant would be found to speculate in the importation of slaves to cultivate that colony, and Cayenne, which was not under our controul, was not more likely to become a medium for the importation of slaves into the West Indies, in the hands of France, than under the dominion of the power from which it had been transferred by the late Treaty. Here, the noble lord said, that he could not help noticing the zeal evinced by certain parties upon the subject of the Slave Trade of late, compared to their conduct at former periods, and under other administrations. He also remarked, that while the Article respecting France was so emphatically dwelt upon, no acknowledgement was made of what ministers had done in favour of the abolition of this odious traffic, especially considering the recent decision of Holland, at the instance of the British government. Looking to this fact, he really thought that, in candour, the Article respecting France ought not to form the sole theme of the learned gentleman's declamation and that of his colleagues—that while what ministers had done was wholly cast into the shade, they should not be so prominently condemned for what they were really unable to do. For how could they press any proposition against the will of our allies? Could any reasonable man recommend to them to dissolve the great confederacy of Europe, and to contend alone against France? What in such a case could lord Wellington at the head of an army accomplish? Nothing but defeat and disgrace (so far as disgrace could attend military defeat) could possibly await him. He wished, therefore, that gentlemen would devote some portion of cool common-sense consideration to this question. He begged that they would moderate their virtuous feelings, and put their solicitude for Africa under the dominion of reason. The noble lord concluded with repeating his assertion, that the motion was inconsistent with candour, as it was calculated to prejudice the question which stood for discussion to-morrow, and to induce an impression that ministers had not faithfully performed the duty imposed upon them, by the voice of parliament and public opinion.

Sir *Samuel Romilly* rose and spoke as follows:*

Sir; To those members who were present when it was arranged in what order the business respecting the Treaty should be brought before the House, it cannot be necessary to point out the injustice of the noble lord's charge against my hon. and learned friend, of having brought forward his motion at an improper time. If he has moved for these papers only twenty-four hours before the Treaty is to be taken into consideration, it is because he has yielded to the wishes of others; and has, for their convenience, and most especially for the convenience of the noble lord himself, postponed his motion. It was desired by my hon. friend, who sits behind me (Mr. Wilberforce) that his intended Address, which was yesterday unanimously voted by the House, should precede my learned Friend's motion for papers: this was the wish too, of the noble lord, expressed by him in his place; and he cannot have forgotten the reason he assigned for it, namely, that he doubted not, that in the debate upon the Address, he should convince my learned friend, that his motion was unnecessary. The Address would have been moved for, a week ago, but for the noble lord's indisposition. It was on his account alone that it was postponed to yesterday. The noble lord was requested to defer the discussion of the Treaty for a few days; but upon this he was inexorable. Though no possible inconvenience could attend the delay, he insisted that the Treaty should be taken into consideration to-morrow. And after all this, and when it has been at his request, and for his personal convenience, and because he will not put off his own motion, even for four-and-twenty hours, that this debate comes so close upon the consideration of the Treaty, the noble lord is unjust enough to impute blame to my learned friend, for not bringing on his motion sooner. In the same spirit, and in a style of great exaggeration, he says, that the Treaty has been lying a whole month upon the table before these papers are called for, although at the moment when I am speaking, a month has not elapsed since the Treaty, which bears date only the 30th of May, was signed, and although it was not till the 3d of the present month that this House was informed from the throne, that it would attend to our wishes on this important part of the negociation.

I certainly shall not, Sir, by complimenting the noble lord and his colleagues for their sincerity, and their services in the cause of the abolition of the Slave Trade, provoke the same extraordinary return as my learned friend has experienced, and as little shall I be deterred by the high and presumptuous tone which the noble lord has this day assumed, from expressing my strong disapprobation of that article in the Treaty he has concluded, which relates to that odious Trade. If I knew, indeed, what claims the ministers had to praise upon this subject, I would not refuse to do them justice, even though my commendations were to be met with the same disdain as my learned friend's; but I am really at a loss to conjecture on what those claims can be founded; and recollecting, as I do, in what manner, and to what an extent the

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Slave Trade has of late years been carried on by Portugal, while the eminent services we had rendered that state gave us so good a right to require the total sacrifice of it on her part, I can see no reason to applaud his Royal Highness's ministers, either for the zeal or the success of their exertions.

It is impossible, I know, to speak of this Article of the Treaty in the severe, but just terms, which in my opinion it deserves, without incurring the imputation of acting with party views. Conscious that I am not in the smallest degree influenced upon this occasion by such motives, I regard all such imputations with contempt; but it may be well for those who are forward to cast them, to recollect that party is not the exclusive reproach of opposition, and to consider, whether they, who defend and applaud in public what, in the secret of their own bosoms, they utterly reprobate and condemn, are themselves exempt from that party-spirit with which they suppose others to be infected.

The noble lord objects to the production of the papers moved for, because this Article cannot, he says, be properly estimated, when taken disconnected from the rest of the Treaty and from the whole negociation; and yet the noble lord was content last night to enter into his justification upon this single Article, and to postpone the rest of the Treaty to a future discussion; and well, indeed, may this part of the Treaty, from its higher importance, and as being the only subject of negociation upon which this and the other House of Parliament thought it right to interfere with the executive power before the measure was concluded, challenge a distinct and independent examination.

We are not, the noble lord told us the other evening, aware of all the difficulties which, upon this Article, he had to contend with. We must not imagine, he says, that the French ascribe to us, all the merit which we claim for our abolition of the Slave Trade. They do not give us credit for all that humanity and that love of justice which we pretend to. They doubt our sincerity, and, not the common people only, but persons of a higher order; and even those, as he plainly gives us to understand, with whom he had to negociate, entertain that doubt. It would be highly interesting to gain a sight of the papers, if it were only to observe how the noble lord repelled that foul and unjust suspicion. No person better than himself, who had, to the very last, in this House, resisted the abolition, could have assured them of the perfect sincerity of those who had so long persevered in that just and righteous cause, and who at the last, owed their glorious triumph to the strong sense and feelings of the nation loudly and repeatedly declared.

The proofs of our sincerity are so many and so powerful, that the noble lord cannot fail to have pressed them irresistibly upon his opponents. If to have relinquished this Trade, when we almost singly, of all the nations of the earth, might have carried it on; and when we might have prosecuted it to a greater extent, and with a much greater profit, than we or any other country had ever before derived from it. If to have persevered steadily for seven years in this self-denial, and never to have shewn the least symptom of an inclination to yield to the strong temptation, which this lucrative monopoly was holding out,—if facts like these left France unconvinced, then indeed, is she not open to conviction.

But what is the course which the noble lord has pursued? To prove how much we are in earnest on this important point, he has, on behalf of the British nation, affixed his signature to a treaty, which, after recognizing the injustice and barbarity of the Trade, contains a stipulation, that for five years, it shall be carried on. To remove all doubt of our perfect sincerity, he makes us parties to a convention, by which with fine professions of a holy regard for justice and humanity, we sanction, for a certain definite period, the practice of every species of oppression, robbery, and murder. What better plan could he have adopted, if his object had been to convert suspicion into proof, and to put into the hands of our detractors the formal and sealed evidence of our baseness and hypocrisy?

What a melancholy prospect, too, does this French notion of our insincerity, thus confirmed by the noble lord, afford, with respect to the stipulation, that at the end of five years, the trade by France shall altogether cease! Our only object being to gain some credit to ourselves, and to appear to all Europe the seeming champions of justice and humanity, the French are not unwilling to gratify our criminal vanity, and have, therefore, amused us with a declaration, that, after five years, they will cease to be traders in men—a declaration in which they have just as much sincerity as they impute to us; and having secured to themselves a trade, which they know will continue after the stipulated period shall have elapsed, they pride themselves, no doubt, upon having met this nation of dissemblers with their own arts of dissimulation.

Amongst other difficulties in the negociation, France, we are told, would not submit to the humiliation of having the performance of a moral duty imposed on her. The cession, or the retention of conquered provinces, might well be subjects of negociation, without imputation upon a nation's honour, but to exact that the rules of natural justice should be observed; and to enforce a moral principle at the point of the bayonet, implies a species of degradation. I am unable (I confess it) to enter into these diplomatic refinements, but, if there be humiliation in stipulating not to carry on a trade repugnant to humanity and justice, that humiliation France has submitted to, since she has engaged, after five years, to renounce the Trade for ever; and how the honour of that nation would have been more deeply affected by an immediate renunciation than by one, which is to be preceded by five years of licensed devastation, piracy, and murder, the noble lord has left wholly unexplained. To me, indeed, it appears that the negociation might have been conducted on this point in a manner the most honourable to both nations. The Trade does not, at present, exist for either. With England it has ceased for the last seven years, by our own voluntary renunciation of it. With France it has ceased for upwards of twenty years, by the peculiar circumstances in which the war had placed her. France and England might have treated upon this subject on equal terms. Each might have contracted with the other, that this odious traffic should be revived by neither, and a treaty might have been concluded more glorious for both, than any that has been recorded in the annals of mankind.

The prejudices of the French, the noble lord says, were to be attended to. That they have not at once adopted our opinions, cannot surprise us. We were long before we acted on them ourselves. Having been nearly twenty years abolishing this Trade, can we complain that France requires an interval of only five to prepare for its abolition? But when this question is asked, it should be recollected what the obstacles were which, in this country, so long retarded the accomplishing that great act of justice. They were obstacles which have no present existence in France, but which are preposterously under the operation of this Treaty, to be created in order, as we learn from the noble lord, that by the slow progress of reason they may be in time overcome. The extensive influence of Liverpool and Bristol, and other great trading towns, opposed difficulties with us which it required much time and patience to remove. Happily no such influence now exists in France, but it seems that by the revival of the Trade, such an influence is to be general, and to be fostered. Let the cause of humanity, the noble lord says, be promoted in France by exactly the same means as it was in England. In other words, let Nantes and Bourdeaux, and other maritime towns, become the Bristols and Liverpools of France; let large capitals be embarked in the Trade; let the support of many thousands of individuals be made to depend on its continuance; enlist the activity and zeal of commercial enterprize and adventure against you; multiply, without number, the enemies to the abolition, and then wisely trust to reason to refute their arguments, and silence their clamours. Embody against you the most uncontrollable passions and strongest interests, and most formidable combinations of men, and then calmly appeal to argument, to philosophy, and to religion, to disperse and to disarm them. Expect that some Clarkson will appear in France who will consume his valuable life in the service of the most oppressed and despised of his fellow-creatures. Wait till some Wilberforce shall arise, who with unexampled perseverance in spite of clamour and obloquy, and ridicule, will maintain his steady course, till he sees the great object of his life accomplished. Rely upon the slow but certain effects of free discussion in popular assemblies, and by an unrestrained press; and, till all these causes shall have fully operated, be content that the work of death and devastation shall go freely on upon the shores of Africa.

With us a most formidable obstacle to the speedy abolition of the Slave Trade existed in the strong and inveterate prejudice entertained by the proprietors of West Indian estates, that its sudden abolition must be soon followed by the destruction of their property. Their terrified imaginations painted to them insurrections breaking out in all the islands, and involving their plantations in one common ruin; or if, contrary to all expectation, they should escape this sudden destruction, yet they foretold the gradual but certain waste of their slaves, the inevitable and rapidly increasing depopulation of the colonies by disease and death, without the possibility, when all supply of fresh negroes was denied, of ever repairing the growing evil. This obstacle, once so gigantic, the noble lord had it in his power in an instant to dispel. He had only to direct the view of the French negociators to the large and valuable colonies which he was restoring to them by the Treaty, and which, under the abolition, had been for years in the enjoyment of perfect internal tranquillity, improved cultivation, and increasing population and prosperity.

An argument, which in this country we heard often, and too successfully used against the abolition, is, that the Trade, though renounced by us, would still be carried on by other and rival states; and that we should see them extending their commerce, increasing their wealth, and improving their maritime resources, at our expence, while the cause of humanity was in no degree promoted, and not one African the less would be torn from his native land. Many thousands have been the lives which have fallen a sacrifice to this pernicious argument. Against the noble lord, however, it was an argument which cannot have been urged with success; for it could not be doubted, that the powerful voice, and more powerful example of France, added to those of Great Britain, must have commanded the total abolition of this nefarious Trade, by the general consent of all the powers of Europe.

Let us not, then, be told, that in desiring time to prepare for the abolition, France is only following the example we have set her. France, it must be again observed, is not required to abolish the Trade, but not to embark in it anew; and, with all the difficulties which the abolitionists had to encounter here; with all the cause of just reproach, which certainly belongs to us, for having been so tardy in effecting what justice and religion, and our national honour, so long, so loudly, and so imperatively called for; yet it cannot be denied, that from the first moment when the attention of the public was awakened to the subject, there never was a time when this nation would have consented to incur the enormous guilt of creating such a traffic.

But although France is to revive the Trade, it is only for five years that it is to be revived. Not, indeed, that there is any positive stipulation that at the end of that period it shall absolutely cease; but, if I have rightly understood the noble lord, according to his construction of the Treaty, France merely engages, that after the five years, she will, by an act of her own, utterly renounce all commerce in slaves; and upon this assurance the noble lord relies. He really believes that the French nation, who, now that they are yet strangers to the Trade, except as they have heard and read of it, and are capable, like impartial and philosophical observers, to estimate it justly, are not only not deterred by the horrors which it presents from embarking in it, but are even eager to plunge into this sea of blood, will, when they are once deeply and eagerly engaged in it, and are largely enriching themselves with its guilty profits, have the generosity and magnanimity to relinquish it for ever.

In the mean time, and when the five years shall have expired, numerous difficulties, which do not now exist, will have arisen to obstruct the performance of their engagement. How differently circumstanced will France then be from what she is at present! Great capitals will be embarked in the Trade; numerous vessels will be employed in it; many thousands of individuals will have accustomed themselves to look to it for subsistence or support. France, too, will probably have engaged in, and long prosecuted her schemes for the reconquest of St. Domingo; and projects on this head have been talked of (but which, I trust, are not really entertained), the mere mention of which chills the heart with horror. When all these changes shall have taken place, by what arguments shall we persuade France to be faithful to her engagements? It cannot be by insisting on the great principles of justice of humanity. You have yourselves, she will reply, by the very Treaty which you require us to fulfil, admitted that justice and humanity must sometimes yield to expediency; and the present expediency is of a far higher nature than that which prevailed when you concluded the Treaty with us. We had then few sacrifices to make; we must now ruin the fortunes of thousands, who have themselves well-founded claims upon our humanity. We have reconquered St. Domingo, but it has been after a long and arduous struggle, which has cost us innumerable lives. We have expended immense treasures, and have consumed the flower of our armies; and now that at such a price we have recovered what may be to us the most important of our foreign possessions, you would fain persuade us to retain it just as war has left it, with its wasted plantations and desolated fields, a barren and depopulated island, because your humanity revolts at our supplying it with negroes. That humanity would better have proved itself to be sincere, by insisting at first upon an immediate and perpetual abolition, instead of suffering us to shed so much blood, and to waste such important resources, for the avowed purpose of re-establishing our valuable plantations, and then, when the season has at last arrived for repairing the mischief which it was well known must precede the benefits we had in view, endeavouring to prevent us from reaping the fruits of our dangers and exertions.

I confess that I deeply lament, that five years has been mentioned in the Treaty as the period at which the Trade is definitively to cease. Being fully convinced, for the reasons I have given, that the Trade will not end when that period arrives, I cannot but think, that the fixing it now as the moment of its termination, will only have the effect of giving a wider range and additional vigour and spirit to the Trade at its commencement, and of rendering those who engage in it more earnest in their pursuits, and less under the controul or any moral restraint. The traffic, no doubt, will be entered upon with all the eager spirit of adventure with which a new trade is always received; and at the same time, the adventurers in it, understanding that it is to be but of short duration, will be disposed to profit to the utmost of the golden opportunity while it lasts. Intent on making their fortunes, they will persuade themselves that not a moment is to be lost; and the scruples which they might have entertained at the fraud, and rapine, and bloodshed which they will meet with in their way, will be lulled by the reflection, that those evils are only transient and temporary.

It was with great surprise that I heard the noble lord declare, that he really believed that the Trade would last only for five years, and that it would be carried on till that period with the honest expectation that at its arrival it would cease; for in saying this, the noble lord surely could not mean to intimate, that it would be prosecuted on a larger scale, and assume a more atrocious character than it ever yet had done; and yet I cannot recollect the arguments used by the noble lord himself upon former occasions, and suppose him unconscious that this must be the case. In a debate, which I remember took place in the year 1806, when this House resolved, that it would, at a time to be afterwards fixed, abolish the Trade, the noble lord, as well as the right hon. gentleman who sits near him (Mr. Rose), strenuously opposed that resolution, upon this, amongst other grounds, that the fixing a future time for the abolition must always have the effect of giving new life and a wider extention to the Trade while it lasted; and experience, the noble lord observed, had shewn, that the fixing such periods always afforded a rich harvest to Liverpool. By the noble lord's own reasoning, therefore, he has consented to a renewal of this detestable traffic, under circumstances which must add to its horrors, and extend its devastation; and that very increased activity and extension must, when the stated period for its termination arrives, make its termination impossible.

That the British nation should be parties to a treaty, by which a traffic in human beings is sanctioned, is alone a sufficient cause of reproach, but to feel the whole extent of the disgrace which this Treaty brings upon us, it is necessary to consider what the real nature of this traffic is. The Slave Trade is, indeed, no where mentioned but with some epithet which expresses the horror that it inspires. It is described as inhuman, as sanguinary, as detestable, or by some other vague and general term of reprobation; but such terms can convey but a very inadequate notion of the real horrors of this Trade, to those nations which are happily strangers to it in practice. But, in this country, it is in no such imperfect and indefinite mode that this horrible traffic, this foul reproach to civilized society, is known. What the Trade really is, we have fully ascertained. We have, as it were, reckoned up and taken the exact dimensions of all the miseries and agonies it inflicts. What might seem to others to be the heightenings and amplifications of eloquence, we, alas, know to be plain fact, incontestably proved. We have made ourselves acquainted with the Trade in its manifold, complicated, and unexaggerated horrors. We have dared to scrutinize minutely into every part of it. We have, by long and patient examinations of numerous witnesses, traced, in the very heart of Africa, the superstitions and barbarism, in the darkness of which its nations are still enveloped, to this powerful cause. On those shores which have intercourse with Europeans, we have almost with our own eyes beheld the wasted fields, and ruined villages, and flying inhabitants, which with certainty denote that slave-ships are hovering on the coast. We have even descended into the holds of the ships, and have had the courage to survey, and to expose to open day, the chained and crowded victims, writhing with agony, or wasting with disease, during the protracted sufferings of the middle passage. We have traced up to this, as their source, all those habitual severities and cruelties, and that constant contempt of human life and human misery, which distinguish West Indian from every other species of slavery: and it is this Trade, thus known to us in the full extent of all its abominations; this system of fraud and oppression, and rapine, and cruelty, and murder, examined into, understood, scrutinized, exposed, and execrated, to which the noble lord has, by the Treaty, given the sanction of the British name!

If the Treaty had been in other respects less favourable to us, we should at least have had the consolation of reflecting, that we had not profited by this dereliction of all honourable principle, and that we had not sold our consent to such enormous injustice; but with the stipulations in our favour which we know that it contains; with St. Lucie and Tobago, and the Isle of France, retained by us; with the engagement, that no fortifications shall be erected in the French settlements in India, and with the other benefits which we have bargained for, how can we defend ourselves from self-reproach, or silence our consciences, which tell us that these concessions have been purchased for us with the blood of Africa.

In consideration of our receiving these benefits, we consent that France shall carry on the Slave Trade; and to enable her the more successfully to carry it on, we restore to her her ancient factories on the coast of Africa. She is to be reinstated in Gorée and Senegal, almost in the centre of that large district from which this fatal trade had been wholly extirpated, and where we saw the dawn breaking of that happier condition which the natives were beginning to enjoy. This is the prosperous region which we consent to abandon to the ravages of the slave-merchants of France. Like faithful stewards, we have improved the country for them while it has been in our hands; we have increased its population; we have encouraged its inhabitants to settle in its peaceful villages; we have, by the instruction we have given them, and the confidence we have taught them to place in Christians, soothed them into a fatal security; and we deliver up to its bitterest enemies this improving territory, well stocked with plentiful crops of negroes, and supplied for its savage hunters with abundance of human game. The very benefits we have conferred on these unhappy beings, the comforts to which we have accustomed them, and the knowledge we have imparted to them, will only embitter their misfortunes, and make them feel more acutely the full extent of the misery and degradation which now awaits them.

But turning our view from Africa, to consider how the West Indian islands we have ceded will be affected by this Article of the Treaty, I cannot, I confess, but entertain great doubt, whether we had any right to make such an alteration in the condition of its inhabitants as this stipulation must necessarily effect. The great population of all the islands consists, we must recollect, of negroes and of slaves. This population, notwithstanding their degraded and unhappy state, have claims upon us to protect them, and have rights which we are bound to maintain. Though the slaves of their masters, they are the subjects of the crown, and are entitled to the protection of the law. The abolition of the Slave Trade has done much to meliorate the condition of these unhappy men, and has mitigated the character of their slavery. To accomplish this, indeed, was, I think I have heard my hon. friend say, the principal object which he had in view, when he first entertained the design of putting an end to this detestable Trade. The calamities of Africa and the horrors of the middle passage had not at first presented themselves to his view. He foresaw that West Indian slaves would be less likely to be worn down by continual and exhausting labours, or to be sacrificed by sudden gusts of passion, or deliberate resentment in those on whom they were entirely dependent, when their loss could not be replaced by the never-failing supply which the Slave Trade afforded. To some degree, what he foresaw has come to pass. Wretched, indeed, is their condition still; but it is less wretched than it was, when fresh cargoes of slaves were every year exposed to sale in the markets. We have had, indeed, some remarkable proofs of the improvement of their condition. Not the least of them is, that since the abolition, we have seen what no eye before had ever beheld, and no ear had ever heard, a white proprietor brought to trial for the murder of his slave, convicted, and publicly executed. All improvement, however, with them, is now at an end. By the terms of the Treaty, we have not merely transferred the dominion over these colonies to a foreign state, but we have in effect agreed, that their inhabitants shall pass under a more cruel bondage than that which they groan under at present, since we have consented that there shall be withdrawn from them the most effectual of all restraints upon those wanton abuses of power, to which men, in a state of domestic slavery, must be constantly exposed.

When applied to the island of Guadaloupe, these considerations acquire tenfold force, and place the conduct of ministers in a most extraordinary point of view. In the last year we ceded that island to Sweden, but under an express stipulation that the Slave Trade should never be carried on there. Sweden could not, without a breach of national faith, either by herself, or by any other power to whom she might have transferred the colony, have polluted its shores with this inhuman traffic. But what we would not allow Sweden to do, we do ourselves: we consent that the island shall be given up to France, without affording it any protection against the Slave Trade. We make ourselves parties to a violation of our own treaty; and, without compunction, sanction a breach of those conditions, which, with such seeming anxiety, we had provided for the happiness of the colony.

But after all, we are told, that to submit to all this, was matter of necessity; for on this point France was determined not to yield. We had only to chuse, it seems, between permitting her to carry on the Slave Trade or still prosecuting the war; and the noble lord asks whether, for such an object as that of putting an end to the Trade, five years sooner or later, we should have been justified in prolonging such a contest, without the assistance, too, of our allies; and, he adds, with lord Wellington's army far advanced into France, and wholly unsupported. But really, Sir, I cannot think that these difficulties presented themselves with quite so formidable an aspect as the noble lord would represent. I cannot forget that he has himself assured us, that the sovereigns, our allies, were sincerely and zealously desirous to abolish the Slave Trade; and when I recollect the circumstances in which France stood, and the extraordinary events which had preceded the negociation, I cannot persuade myself that England was obliged to treat so much in the spirit of a conquered country, that merely because France was pleased to threaten a continuance of the war, we were necessarily to relinquish the just demands that we had made. The noble lord must himself admit, that so high a tone, so unreasonably assumed by France, could have afforded no justification for his yielding every thing, no matter how unjust, which it might have been her pleasure to exact. If she had presumed to dictate to us, as the indispensable price of peace, that Gibraltar should be ceded to her, the noble lord assuredly would not have thought a prospect of the continuance of war a sufficient reason for making a sacrifice to France of that proud monument of our glory; and yet for no better reason, he has sacrificed to her what was a monument of much greater glory to the British name.

But who, indeed, can be credulous enough to believe, that we ever were reduced to the necessity of relinquishing either peace or the abolition of this traffic? If we were to admit that France, in the situation in which she stood, could with any appearance of reason have peremptorily insisted on carrying on the Trade, yet was it not most obvious, that we had a right to retain the colonies which conquest had made our own, unless France would consent, that from them at least the Trade should continue, as it then was, wholly excluded? Who, indeed, can look at the Treaty, and observe what we have retained, and what we have stipulated for, without being convinced that we never were reduced to this pretended necessity? but we preferred, it seems, Tobago and St. Lucie, and the other comparatively light advantages which we have secured for ourselves, to the honourable duty which was imposed upon us, of effacing for ever the foulest stain that had ever blotted the character of Europeans and of Christians.

Long and lasting must be the reproach which this has drawn upon us. The noble lord has complained, indeed, of the melancholy suggestions of my hon. friend, with which, he says, he has endeavoured at this hour of congratulation, to dash the cup of enjoyment from the lips of the nation. I confess, it appears to me, that this is the moment, of all others, when it most becomes us to appreciate the real nature of this Article of the Treaty, and to consider in what light it places us as a nation. It is now, while our ears are vibrating with shouts of triumph, and while our imaginations are still dazzled with the splendour of our late rejoicings, that it behoves us to examine the part that we have acted in the great events which have taken place, and to consider whether we have fulfilled the high destiny to which God seemed to have called us; whether, on the contrary, we have not basely deserted the cause of our fellow-creatures which was committed to our hands; and whether, while we are drinking in this intoxicating cup, and feasting at the banquet which is set before us, some unperceived hand is not inscribing on the wall, the sentence of our condemnation.

To obtain the concurrence of other states, in the abolition of the Slave Trade, has long been an object of earnest solicitude to this House, even before we had passed an act to abolish it for ourselves; but when, under the administration of 1806, no doubt was entertained that such a law would speedily be enacted, this House presented an address to the crown, entreating his Majesty to take measures for establishing, by negociation with foreign powers, a consent and agreement for abolishing the African Slave Trade; and representing to his Majesty, that this House felt the justice and honour of the nation to be deeply and peculiarly involved in that great object; and we were assured, by his Majesty, that these our wishes should be attended to.

In 1810, this House again approached the throne, and, after expressing its deep regret that the efforts which the King had made to induce foreign powers to concur in relinquishing this disgraceful commerce, had been attended with so little success, earnestly besought his Majesty to persevere in those measures which might tend to bring about so desirable an end. The same gracious answer was returned to these renewed entreaties, the same royal pledge was again given, that it should not be through any omission on the part of the crown, that our hopes and wishes should be disappointed.

At last an opportunity presented itself for realizing those hopes, and gratifying those wishes, such as the most sanguine could hardly have pictured to themselves in their fondest dreams of prosperity;—a concurrence of circumstances the most fortunate, I should rather say the most providential, for rendering this great benefit to our fellow-creatures and to posterity; such an opportunity for concluding the most glorious treaty that ever was entered into between rival and contending nations, as might have warmed the coldest heart, and have inspired the most vulgar mind with a noble and virtuous ambition.

That such a crisis had arrived, we knew could not escape the observation of any man, that it would pass away unimproved we did not suppose possible, and yet, that there might be no omission on our part, that we might, as it were, make assurance doubly sure, that where such important interests were at stake, there might not be even the appearance of our being, in the smallest degree, wanting to ourselves and to mankind, this House unanimously resolved again to address the throne, and to represent to it all that the occasion demanded of us, the right which our situation gave us to insist upon this point with the enemy, the evils that would result, and the dreadful responsibility we should incur, if it were given up, and the solemn assurances and pledges which the crown had repeatedly given us, and upon which we had firmly relied. And after all this, possessed of such advantages, strengthened by such an address, and stimulated by such considerations, what is the treaty which the ministers have concluded? One that disappoints all our hopes, blasts all our prospects, seals our perpetual disgrace, and leaves us to deplore, that we have lost an opportunity of benefiting mankind, and ennobling ourselves, such as the world will, probably, never again afford!

That I take this view of the subject will, I know, by some persons, be ascribed to the spirit of party; but thinking, as in my conscience I do, that in concluding this Treaty, every moral and religious duty has been disregarded, ought I, from any such trivial consideration, and, because I cannot blame the measure without censuring the men who are the authors of it, to refrain from expressing my real opinion? Let me rather again remind those who, thinking as ill of the Treaty as I do, are yet so far influenced by their partiality to ministers, that they will either observe a criminal silence, or give their sanction to it by their votes, that they are, indeed, acting from the worst of party motives; and let me caution all such persons how, at any future time, they receive favours at the hands of ministers, lest their consciences should tell them, that such favours have been obtained at the expence of the happiness and blood of Africa.

My hon. friend (Mr. Wilberforce) indeed, who practises every Christian virtue, has expressed, in strong terms, his disappointment and regret at this Treaty; but yet he has the exemplary forbearance, while he deeply deplores, not to censure the conduct of the negociator. A most remarkable instance of Christian charity it unquestionably is, for there is no individual in his Majesty's dominions, who, if in consideration of such a superior importance, we could be allowed to mix any thing which merely affected ourselves, has more reason to complain than my hon. friend. There is no man living whom it can have robbed of a larger portion of happiness. After devoting the best part of his virtuous life to this great object; when by long-continued and unwearied exertions, after repeated disappointments, and by a perseverance without example, he had, at last, at a mature period of his life, accomplished the object to which he had devoted all the faculties of his mind; when he was beginning to reap the full rewards of his long labours,—rewards the most congenial to his heart, and the best adapted to services such as his,—the satisfaction of seeing the progress of the good of which he had been, in so great a degree, the author; while he was every year receiving from Africa and from the West Indies, the tidings of the improved condition of his fellow-creatures; while he saw in Africa the dawnings of civilization, the calm and the tranquillity which reigned in their contented villages, the instruction which was afforded to their youths, and the comforts which the light of true religion was every day diffusing among the natives; and, on the other hand, in the West Indies, the mitigation of the labours and sufferings of the negroes, and law extending its protection to these unhappy outcasts of society; while he was cheering his mind, long depressed by the miseries which he had been compelled, for so many years, to dwell upon, with the refreshing sight of this comparative happiness, and was eagerly looking forward to the further progress of this great good, and was expecting, from still greater improvements in the moral existence of those to whom he had already been so great a benefactor, the best consolations of his declining age; what a prospect of the future has the noble lord opened to him!—The sudden revival of this horrid traffic, upon the largest scale, and in its most ferocious spirit; all his exertions, and his anxieties, and his sacrifices of time, and health, and fortune, endured in vain; a renewal of the plunder, and carnage, and devastation, which used to lay waste the shores of Africa; new fleets sailing across the Atlantic, freighted with human misery in every form and every degree; new markets opened, in which rational beings, like beasts of the field, are to be again exposed to public sale; the revival of a more severe and a more cruel species of bondage, more exhausting toils, a lower species of degradation, augmented tortures; an aggravation of all the anguish of body and mind, which wastes and consumes so large a portion of our fellow-men; and the sickening certainty, that all these complicated evils tend to confirm, and perpetuate, and aggravate each other, and that they forebode scenes more dreadful even than those which they exhibit!

Such are the melancholy prospects which this Treaty affords to those who had been earnest in procuring the abolition, and who were pleasing themselves with the reflection of the great benefits which they had obtained for mankind, or, in other words, to the great majority of the British nation. With these prospects before us, I cannot applaud the Treaty. I am desirous with my hon. friend, to have all the information that can throw light upon the negociation; but if that information is with-held, and I am compelled to decide with no other lights than I at present possess, I must say, that the Treaty appears to me, as far as it respects the Slave Trade, to be repugnant to justice and humanity, disgraceful to the British name, and offensive in the sight of God.

Mr. *Stephen* rose in a state of great agitation, and after remarking that it was impossible for him not to feel that the eye of the hon. and learned gentleman glanced at him when he talked of members who chose to be criminally silent; asked, what right the hon. and learned gentleman had to impute to him so uncharitable a charge? He had last night on two several occasions offered himself to the attention of the Speaker, but was not fortunate enough to catch his eye, till a period of the evening when he was too much exhausted to do justice to his feelings. So far from not intending to speak upon the present occasion, he had been listening with satisfaction to the eloquent speech of the hon. and learned gentleman, till the cruel and unjust attack was made upon himself, with the view of being able to distinguish the little of that speech of which he did not approve, from the great proportion of it in which he so highly concurred, and in conjunction with the House admired. If the hon. and learned gentleman was sincere in the sentiments of benevolence he had uttered that night, he would take himself to task on his pillow, for the injustice of which he had been guilty, in imputing to others so serious a charge. It was too much to impute to a man who had some small claims to good will on this very account, the charge of bartering the blood of Africa for the sake of detestable lucre.—He then proceeded to shew how zealous he had uniformly been, both in the West Indies and in this country in support of the abolition. He expressed his disapprobation of the Article in the Treaty; but at the same time, as the noble lord pledged himself that the production of the papers called for, instead of serving the cause of the abolition, would injure it at the Congress, he was willing to take the pledge of the noble lord in this respect, thinking that he thereby best consulted the attainment of the grand object, and satisfied that ministers were equally responsible for any omission or violation of their duty, after the Congress had taken place, as they were now. He had read every publication on the recent horrible proceedings in St. Domingo, and he had obtained information on the subject in every possible way, and he was petrified with horror at the facts which he had learnt. At Cape Françoise they were in the habit of desecrating Sunday by hunting human beings in a ring with blood hounds, until they were torn to pieces; and of carrying others out to sea, and drowning them by wholesale. The fact that the ex nobles of France had great possessions in St. Domingo, and that M. Mahonet had been appointed the French colonial minister, accounted to him in a great measure for the difficulties under which the noble lord had laboured to obtain his object. The noble lord had however pledged himself, he believed mos sincerely, to exert every effort in thi cause at the approaching Congress. If th noble lord failed to redeem this pledge might God not spare him if he spared th noble lord or his colleagues. Thinking however, that the motion would be injurious instead of beneficial to the object i view, he must vote against it.

Sir *S. Romilly*, in explanation, expresse his regret that the hon. and learned gentlemen had taken the observations whic he had made as personally directed agains him, and assured the hon. and learne gentleman that he meant no attack upon him, but merely directed his argument to him in common with others who were in the same situation.

Mr. *Stephen* declared himself satisfied with this explanation.

Mr. *F. Douglas* and Mr. Barham supported the motion.

Mr. *Bankes* denied that any practical benefit would result from the motion if it were acceded to. Although he was at an utter loss to conceive how a British minister could have placed himself in the situation in which the noble lord said he had found himself placed, yet, after the warning of the noble lord, given on his responsibility as minister, that much detriment to the cause would arise from the production of the papers moved for, he could not consent to the motion.

Mr. *Ponsonby* expressed his surprise that the hon. gentlemen who last spoke should be disposed to yield implicit credit to the noble lord's statement, that to agree to his learned friend's motion would be to injure and not to serve the cause of the abolition, after having said that his imagination was at a loss to conceive how a British minister could place himself in such a situation as that in which the noble lord confessed he had been placed. He allowed that the noble lord had misjudged in the one case, and yet he was willing to take the noble lord's opinion as imperative in the other. On the noble lord's own principles, what chance was there of success in any further negociation with France? The noble lord asserted, that we had no right to insist on the French being more moral than they were; and, on the other hand, that we had no right to threaten the French with a continuation of the war unless they consented to the abolition. Then, he should be glad to now, in what quarter we were to look for avourable circumstances in the approaching Congress? Was it from the good disposition of the allied powers? If the noble ord had not availed himself of that good disposition in the efforts which he had already nade, he was deeply culpable; if he had vailed himself of them, it was evident that hey had not much weight. In what he was bout to say, he by no means intended to lisclaim being a party man. On the conrary, he thought it an honour to be so onsidered. He should never think well of the condition of any country in which here were not avowed associations of ublic men, friendly to public liberty. But that the present motion was made in what was usually termed the spirit of party, he would utterly deny. The noble ord and his colleagues had less reason to complain of party than any administration n the history of this country. During he whole of the late negociations, they had not experienced a single act of opposition; and their political enemies appeared s arduous to strengthen the hands of government, as were their most arduous supporters.

Mr. *W. Smith* said, that though his opinion with regard to the Treaty, so far as he article respecting the Slave Trade was concerned, remained exactly the same as he had expressed it on a former evening, yet he felt it to be imperiously his duty, to vote against the motion of his learned riend.

Mr. *Horner* briefly replied. His object n making the motion, was to obtain papers, which might enable him to form his judgment respecting the conduct of he noble lord, as to whether that conduct vas deserving of censure or approbation. He disclaimed the idea of bringing it forward in the first instance, as a direct cenure upon the noble lord. If, however, he noble lord chose to refuse that evidence which might qualify him (Mr. Horner), o determine upon his conduct in framing hat Treaty, and if he must deliver his pinion upon it from the impression now n his mind, he, in the absence of all other neans of determining, should have no hesitation in saying Guilty. He did not nean to press the matter to a division, as he had sufficiently collected the sense of he House from the turn of the debate. He had done what he conceived to be his luty in bringing the question forward, nd should rest satisfied with that conciousness.

Lord *Castlereagh,* in explanation, said, that it was far from his intention to say any thing which could be construed into an attack upon the motives or feelings of the learned gentleman; he had used the word party in no offensive sense; he referred merely to the time that had been suffered to elapse before the present motion was brought forward.

Mr. *Horner* contended, that he had availed himself of the first practicable night.

Lord *Castlereagh* replied, that he might have given notice of his motion, if intended to impute blame, without the necessity of bringing it forward earlier.

Mr. *Wilberforce* observed that his learned friend had certainly postponed his motion at his request, in order to afford him the opportunity of previously bringing forward his own motion respecting the Slave Trade.

The question was then put, and negatived without a division.

## HOUSE OF LORDS.

### *Wednesday, June 29.*

CORN LAWS.] The Earl of Hardwicke presented the following Report of the Committee appointed to enquire into the state of the Corn Laws.

"That the Committee have met, and have examined several witnesses on the subject matter referred to them, but that, notwithstanding a great number of petitions, to the extent of from 70 to 80, very numerously signed, have been referred to the consideration of the Committee, none of the petitioners have hitherto come forward to support any of the allegations therein contained. That your Committee, anxious to lay before the House as full information as they can obtain upon every branch, and under every view of the important subject referred to their consideration, and apprehensive that the petitioners may have hitherto abstained from supporting the allegations of their petitions, from an opinion that the Committee are not empowered to receive such evidence, the Committee submit to the consideration of the House, the propriety of giving them direct instructions to examine all evidence the petitioners may think fit to offer, in support of the numerous petitions which have been presented to the House, in the course of the present session, on the subject of the corn laws."

The noble earl then observed, that as

the object of the Committee was to notify the matter of the Report in the most public and authentic manner, he should merely move, "That it be an instruction to the said Committee, to examine all witnesses in support of the allegations of the different petitions presented to the House this session on the subject of the corn laws, who may be brought forward on the part of any of the petitioners.

Earl *Stanhope* conceived there was a degree of objection to the regularity of the present motion, because it implied that the preceding powers of the committee were defective. At the same time he must observe, that before this committee, enough had already been proved, to shew that the system recommending an alteration in the corn laws, was not calculated to produce the benefit anticipated by its promoters. It was clear from this evidence, as it was to his prior conviction, that the people and the growers of corn must be untaxed, before the remedy desired could be established in the country.

The Earl of *Lauderdale* could not help noticing, that the noble earl, of all other persons, appeared to him not informed enough of the proceedings before the Committee to make these remarks; for he had only for a few days, and for a short period in each day, attended that committee; whereas, for himself, he could declare, from the first establishment to the present hour, he had attended the whole proceedings of that committee, and he had no hesitation in saying, that the observations now made by the noble earl were a gross misrepresentation of all that had occurred before the Committee, and that there was not the slightest foundation for what the noble earl had stated upon the present occasion.

Earl *Stanhope* would ever maintain the correctness of the remarks which he had already made to the House. Though he had not attended, like the noble earl, to all the proceedings of the Committee, he had attended until he heard that evidence which was satisfactory to his own mind. The evidence which, to his own knowledge, was delivered, confirmed to him, that the system recommended by the noble earl, as an author, would be injurious, and he would never permit that noble earl to say he had misrepresented what he knew of his own knowledge to be true.

The Earl of *Hardwicke* said, the only object of the present motion was, to afford to the manufacturers and others a opportunity of proving their own allegations.

Earl *Stanhope* was ready, if the nobl earl pleased, to enter more fully into thi subject, but he must contend, for wha could not be controverted, that the evidence adduced most melancholy proofs o the error of the system recommended b those who proposed these alterations o the corn laws.

The motion was agreed to.

PRESERVATION OF SHIP TIMBER.] Th Earl of Darnley presented a Petition from an officer in the navy, relating to a subjec of the greatest importance. This individual stated a discovery to have been made for the better preparation and preservation of timber, and he trusted the noble viscount opposite would declare the readiness of the Admiralty, on all occasions, to attend to suggestions of such great consequence to the welfare of the country. He should move that this Petition be read, and that it afterwards lie upon the table; though he was not prepared, at this late period of the session, to give any notice of a motion upon the contents of it, but he hoped the Admiralty would anticipate the necessity of making any such motion upon a future occasion.

Viscount *Melville* declared the readiness of the Admiralty to attend to suggestions of this nature. The experiment of the invention, to which the noble earl had alluded, was tried last year, and an accident occurred which rendered the utility of it doubtful; but still, upon any future trial, the Admiralty would not be slow to examine and appreciate the benefit of any discovery calculated to benefit the country.

Earl *Stanhope* was a little surprised at the logic of the noble viscount, who blamed an experiment because an accident had prevented a satisfactory proof of its utility. If the Admiralty employed persons who were the occasion of the accident he had mentioned, the blame would belong to themselves alone; and it would be an admonition to the board, not thus to direct their proceedings, but to take care that they should be guided by men of science.

Viscount *Melville* observed, if the noble earl meant to say that the accident which occurred was to be ascribed to the conduct of the board, that noble earl was under a complete mistake. The experiment was conducted by the person who was appointed (not by the board) to see the invention carried into effect. The observation he still made was, that the Admiralty would carefully attend to any invention or discovery which purported to be advantageous to the state, or the community.

Earl *Stanhope* was persuaded that, on other occasions, the Admiralty proceeded to examine inventions, when it more became them first to enquire, from men of science, whether such proposed inventions were deserving of their attention.

The Petition was ordered to lie on the table.

SLAVE TRADE.] A number of Petitions against the renewal of the Slave Trade, from different parts of the country, were presented by the dukes of Gloucester and Norfolk, earls Stanhope, Grey, and Lauderdale, and lord Holland, which were read, and ordered to lie on the table.

The Marquis of *Lansdowne* then rose, for the purpose of giving notice of a motion relative to the subject of the Petitions which had been laid upon the table. He intended to-morrow, on which day the House was summoned, to move an Address to his Royal Highness, praying he would endeavour to accelerate the abolition of the Slave Trade, upon the principle which had been recommended in the last session of parliament. He should, however, take care, in framing this Address, to avoid every thing which might be supposed to allude to, or censure what was past; and its object would wholly be directed to future negociation, and for the purpose of strengthening the hands of his Majesty's government, in their endeavours to induce other countries to co-operate with them in the complete abolition of this traffic. He was led to believe there would be no objection to the motion he intended, and, therefore, he would submit it to the consideration of the House to-morrow; but, if from any quarter he should be inclined to believe there would be opposition, he should then consider of the expediency of postponing his motion to a future day.

PANTHEON THEATRE BILL.] The Duke of *Norfolk* moved the second reading of the Pantheon Theatre Bill. He stated that this was a large and commodious building, and that the proprietor had been at considerable expence in fitting it up for a theatre. He did not state this as a reason by itself sufficient to call upon their lordships to agree to this Bill: but it was a circumstance to be considered in addition to the great object of public convenience. The performance of the regular drama was confined to two houses, notwithstanding the great increase of the population. It was matter of public importance, therefore, that there should be another house for the representation of the regular drama, and on that ground he wished the Bill to stand. Any minor objection might be obviated in the committee.

The *Lord Chancellor* did not think that the noble duke had stated sufficient grounds for the second reading of the Bill. Independent of other considerations, it was not even stated that the crown had refused a patent.

Lord *Holland* understood the case to be, that the proprietor had obtained a licence from the Lord Chamberlain, which licence, for what reason he did not know, had been withdrawn. He had then applied to the crown for a patent which had been either refused or with-held. Parliament had interfered on a former occasion for the purpose of restriction, and had enacted, that all pieces performed must be licensed by the Lord Chamberlain. This Act had been so construed as to enable the Lord Chamberlain to licence the performance of regular plays at other places than the regular theatres. He did not know, however, that this construction was warranted by any solemn decision on the subject—and he was very doubtful as to the wisdom of the Act; but certainly no sufficient ground had been laid for this sort of parliamentary interference. It had been decided, he believed, that the monopoly granted by Charles 2, did not bind his successors; and, unless, under very special circumstances indeed, this was a matter to be left to the crown. No doubt their lordships might and would, on a proper case made out, advise the crown, in the exercise of his prerogative; but this did not appear to be a case that called even for that interference. He had no instructions or explanation from those concerned in Drury-lane theatre, as to their views on this subject. But it ought to be remembered that the period which, in the opinion of the *laudatores temporis acti,* formed the Augustan age of theatrical representation,—he meant the period when Garrick was manager,—was exactly the time when the monopoly was most rigidly enforced. He had heard much said about numerous and small theatres, where the powers of the actors could be distinctly seen by all, instead of a few large theatres, where even the voice could not be heard throughout. This was very commonly the talk of gentlemen who sat after dinner and did not go to the theatre; but those who did go very much, preferred the large theatres; and of this, if the occasion offered, he could produce very substantial proof. But the fact was, that during the last 20 years, there had arisen more theatres of all descriptions, than in due proportion to the increase of the population—some of them though not authorised to perform regular dramas, yet pushing their licence certainly to its utmost possible extent. He must therefore vote against the Bill.

The Duke of *Norfolk* said, that there were several theatres for the exhibition of pantomimes and horsemanship: but what was wanted was another place for the exhibition of the regular drama; and he trusted that under these circumstances their lordships would suffer the Bill to go into a committee.

The House then divided on the question, that the Bill be read a second time. Contents, 9—Not Contents, 11.—Majority against the Bill, 2.

## HOUSE OF COMMONS.

### *Wednesday, June 29.*

OFFICE OF WORKS' BILL.] The *Chancellor of the Exchequer*, in bringing this subject under the cognisance of the House, was of opinion, that there existed no necessity why the surveyor-general of the Works should be a professional architect, as he might have two or more architects under him to assist him with their advice. By such arrangement many officers, who were now employed to superintend particular buildings, would be dispensed with, and a considerable saving would accrue to the public. He concluded by moving for leave to bring in a Bill "for the better regulation of the conduct of the business of the office of Works, and the expenditure thereof."

Mr. *Bankes* said, that the commissioners of military enquiry had recommended a measure to be brought forward on this subject, and the principle of his right hon. friend's Bill met with his approbation. The expenditure at present was immoderately great, and threw a heavy burthen on the civil list, which the House had no power to controul by previous estimates. The hon. gentleman proposed to give, as examples of the truth of his observation, the Receptacle for Lunatic Criminals, and the New Mint, where expences had been incurred that had not been in the contemplation of parliament, and the same would have taken place with respect to the Custom-house, had he not incidentally noticed it. The hon. gentleman then alluded to the bridge and the temporary buildings erecting in the parks; and enquired if the expence had been noticed in the quarterly estimates of the lords of the Treasury, or if the buildings had been erected by the order of any board.

The *Chancellor of the Exchequer* said, he should feel extremely thankful either to the hon. gentleman, whose experience was so extensive, or to any other hon. gentleman, who might assist him in promoting the measure which he now proposed to introduce. With respect to the temporary buildings which were now erecting in the parks, he had only to say, that no specific estimate of their probable expence had been prepared; but before they were commenced, a general application had been made to the Treasury, to know what directions it was intented to give for the reception of the two sovereigns, or indeed the three sovereigns; as it was then understood that the emperor of Austria would have accompanied the emperor of Russia and king of Prussia, who were about to honour this country with their presence. The Treasury then gave directions that measures should be taken for the reception of these august personages, commensurate with the dignity and magnificence of this great nation. The buildings alluded to were in consequence commenced, but it was soon found they could not be finished within the time which those illustrious visitors proposed to stop; upon those general directions, however, the proceedings, which had been since carried on, were grounded.

Mr. *Tierney* wished to know whether it was understood that the Treasury had given its consent to an indefinite expenditure about these temporary buildings and fire-works, without having an estimate previously laid before them. He must enter his protest against classing those expences under the head of royal magnificence, which it was necessary to display on the present occasion. He saw nothing like royal magnificence in fitting up a parcel of trumpery booths, and letting off fire-works. Whatever attempts there might be in any quarter to imitate the

French in these respects, he believed that we should not be able to rival them in those exhibitions, and that all we could do in this way would not have astonished our illustrious visitors. As those visitors had, however, now left the country, it was evident that those costly preparations had failed in the object for which they were intended, and therefore it would be right now to limit the future expenditure on this account, as far as was possible. It appeared, however, as if the expenditure had increased in proportion as our illustrious visitors were approaching Dover, on their departure from this country. We now heard that there was to be a naval fight on the Serpentine river, and that boats for this purpose were actually building at Woolwich. Now, whatever taste Englishmen might have about fireworks, yet he was pretty sure that John Bull would never relish the representation of a sea fight on the Serpentine river, by boats that were to pass for two and three deckers! As to the expence, he had made some enquiries from an hon. member (colonel Congreve), and the information that he had received was, that the expence of the fire-works would be about 15,000*l.* He considered, that besides the expence, there would be some danger in fire-works of such magnitude; and, as a few unfortunate persons had already been blown up in preparing those fireworks, he wished to know whether any provision for their families would be among the estimates of the expence of them. He thought that a good deal of firmness was necessary in the lords of the Treasury, to resist unnecessary expenditure, from whatever quarter it might be suggested; and that they should not allow such waste of the public money to go on, to please the fancy of any person whatever. Those temporary buildings and bridges must have struck their eyes in going to, and returning from, their different offices. It must be recollected that, notwithstanding the difficulties of the times, the expences of the civil list were greatly increased, and were constantly increasing. Although a large sum had been applied from the droits of the Admiralty, yet there would be a deficiency in this year of 118,000*l.* which would be to be provided for. He approved generally of the principle of the Bill now proposed, as he hoped that it would serve as an effectual check to all those embryo palaces, and villas that, as he understood, were about to start up.

Mr. *P. Moore* wished to ask a question which he considered to be connected with this subject. When the Bill for making a new street from Carlton-house to the Regency Park was brought in, he suggested the expediency of rewarding the architect who was employed to superintend the pulling down of houses in the execution of the plan, by a fixed salary, in preference to a commission of 5 per cent. on the value of the houses which he might pull down. He wished to know whether his suggestion had been adopted?

The *Chancellor of the Exchequer* answered that a commission had been allowed to the architect, and upon investigation it would be found that his remuneration hitherto had been extremely moderate. If desired, he should be happy to give the House any information which might be required upon this subject. With respect to the observations of a right hon. gentleman, he was happy to state, that the Treasury had anticipated his wishes, and had directed that the preparations which were going on should be contracted as much as possible—and in particular, he feared the public would not be gratified with the magnificent sea-fight on the Serpentine river, to which the right hon. gentleman had alluded.

Mr. *Baring* condemned the custom which had been followed in the cases of the Custom-house and Post-office, of entering upon expensive undertakings, without previously laying estimates before parliament. Without respect to the removal of the Post-office from Lombard-street, remonstrances on the subject had again and again been made to government, by the principal merchants of the city of London. It had remained for ages in Lombard-street, the most central part of the city, and it was now proposed to remove it more than three quarters of a mile from the residence of all the principal merchants. It was said that Lombard-street was too narrow, but it was now to be widened; and yet this was precisely the time chosen for removing the Post-office from it. The inhabitants of the western parts of the metropolis had comparatively no interest in the removal, for the inland mails arrived so early that the letters were delivered to individuals at as convenient an hour as could be wished for; but the foreign mails came in at all hours, and it was of the greatest importance to foreign merchants, who were obliged to be perpetually sending to the

Post-office, to have their foreign letters with the least possible delay. He believed the country was put to the whole of this expence merely with the view of allowing some of the clerks of the Post-office to get sooner to their country-houses.

Mr. *Rose* said that the inconvenience that would result to merchants on account of their foreign correspondence, had been taken into consideration; and he understood that there was an arrangement now made by which their foreign letters would be received at the office as late as formerly, and the delivery accelerated. He believed that there was no room to be got in the neighbourhood of the Post-office, in Lombard-street, sufficient to give the accommodation which was required. Besides, the tenures of the premises in that neighbourhood, and of the Post-office itself, were so unsatisfactory, that it would not be advisable to lay out much money on those premises. Part of them were freehold, part leasehold, and part copyhold, and therefore they were not eligible premises to expend a large sum of money upon.

Mr. *Taylor* conceived that a great deal of mischief had resulted from an arrangement which was introduced with an economical motive, and which had changed the whole nature of the board of works. He approved of the present Bill, as it went to place the control in a board, instead of leaving it to any one individual.

Mr. *Sumner* could not avoid complaining of the inequality by which the metropolis and adjoining counties were, in fact, put to the expence of those great public buildings. It was from the tax on coals or culm paid by them, that this fund, called the Orphan's Fund, was created, out of which those large sums were taken. As to the difficulty of procuring ground in the neighbourhood of Lombard-street, it was a thing he could not comprehend. If, by an act of parliament, we would compel the proprietors in the neighbourhood of Aldersgate-street to sell their properties for the purpose of building a new post-office, he could not see why an act of parliament could not also oblige the people in the neighbourhood of Lombard-street to sell their properties.

Mr. *Wynn* alluded to the temporary buildings in the Park, and observed that he understood some of them were made for the express purpose of being blown up. Such kind of buildings might indeed be called temporary, in the strictest sense of the word!

Leave was then given to bring in the Bill.

LORD COCHRANE.] The *Speaker* informed the House, that he had received a letter from lord Cochrane, stating that he should not be prepared to make his defence before that House so soon as Friday, and expressing a wish that the order for his attendance should be postponed to Tuesday next.

Lord *Castlereagh* would have wished to have seen in his place the hon. gentleman who made the motion (Mr. Broadhead); but as he felt confident that he would not resist the wish of the noble lord who was so much interested in the motion, he should, in his absence, take the liberty of moving that the motion be accordingly postponed.

The *Speaker* observed, that he had delayed reading the letter till now, in the hope that he might have seen the hon. member in his place.

The order was then postponed till Tuesday next.

PAPERS RELATING TO THE DEBTS AND SEPARATE INCOME OF THE PRINCESS OF WALES.] Lord *Castlereagh* presented to the House, by command of the Prince Regent, Papers respecting the arrangements between his Royal Highness and the Princess of Wales, upon their separation, and the payment of her Royal Highness's debts. The noble lord then gave notice, that he should, on Monday next, move that these Papers be referred to a committee of the whole House, in which it was his intention to move for an augmentation of her Royal Highness's income.

Mr. *Tierney* wished to know if the Papers now on the table had been communicated to her Royal Highness?

Lord *Castlereagh* answered, that orders had been given to make such communication to her Royal Highness.

Mr. *Whitbread* asked if the noble lord knew that the communication had actually been made.

Lord *Castlereagh* stated, that her Royal Highness would receive it in the course of the present day.

Mr. *Whitbread* then observed, that he was to understand that the Princess of Wales had received no previous communication that the Papers were to be laid on the table of the House that day. He afterwards begged to put one question on the subject of these Papers; whether among them was included the deed of separation mentioned by the noble lord on a former night, as having been signed by the Prince and Princess of Wales, and sanctioned by the addition of the name of his Majesty?

Lord *Castlereagh* replied, that, in the late discussion upon this subject, he had not referred to any formal deed of separation, but to the arrangement of a separate provision for the Princess of Wales on leaving Carlton House, which had been signed by the parties, and approved by the King.

Mr. *Whitbread* enquired whether that instrument was among the documents just presented? He had understood the noble lord, on a former night, to say, that it was an actual formal deed of separation, and not merely a deed of provision. Every paper, whether deed, bond, or writing, on the subject, ought to be laid before the House. and he hoped that they were now all upon the table.

Lord *Castlereagh* answered in the affirmative.

The following are Copies of the said Papers:

PAPERS respecting the Payment of the Debts of the Princess of Wales, and the separate Income which his Royal Highness, with the sanction of his Majesty, settled upon her Royal Highness, June 1809.

I. PROPOSAL signed by the Prince, and accepted by the Princess signing her name to it, and countersigned by the Prince's Chancellor.

It having been represented to the duke of Portland and Mr. Perceval, by Messrs. Blagrave and Walter, solicitors, employed by the creditors of her royal highness the Princess of Wales, and through his Grace and Mr. Perceval, to his royal highness the Prince of Wales, that the debts of her Royal Highness amounted to the sum of 41,000*l.*; the Prince most graciously proposed, and now proposes, to take upon himself the arrangement of the debts of her Royal Highness to that amount, although under no legal obligation to pay those debts. His Royal Highness was also graciously pleased to propose, and now proposes, to increase the income of the Princess of Wales to the sum of 17,000*l.* net, by adding the sum of 5,000*l.* to the sum of 12,000*l.* (to which sum will be added her Royal Highness's pin-money 5,000*l.* a year, received by her Royal Highness at the Exchequer;) and his Royal Highness further proposes, that the income of 17,000*l.* shall commence from the 5th day of July next.

This gracious Proposal was made conditionally; and his Royal Highness most reasonably, amongst other conditions, intimated, that he and his revenue must, by act of parliament, or by an order of his Majesty in council, be effectually indemnified against all debts which shall in future be contracted by her Royal Highness, and which shall not be discharged out of her own income. But it being thought advisable not to apply to parliament at present for such indemnity, and that the purpose could not be effectuated by an order in council, it was suggested that if any claim should be made against the Prince or his revenue, for any debt of the Princess's (the treasurer of the Prince being regular in making payment to the Princess's officer of the income of 17,000*l.* by equal quarterly payments) for the purpose of fixing the Prince or his revenue with such debts; that application should be immediately made to parliament thereupon, for an act to secure the Prince and his revenue for the future against all debts of her Royal Highness; the 17,000*l.* per annum continuing to be regularly paid.

In the course of this transaction, it was discovered by Mr. Perceval, and communicated by him in a letter to Mr. Adam, that the Princess's debts would exceed the sum of 41,000*l*, by about 8,000*l*; for which excess, Mr. Perceval stated, that he could not then accurately or distinctly account, but that it had not been, by any means, all incurred during the discussion; on the contrary, that he conceived it to arise principally from the introduction of the demands of other creditors, probably on the private-purse account, who had not given in their debts before to Messrs. Blagrave and Walter. As, however, it would be contrary to the good faith of the proposed arrangement, to throw this excess upon his Royal Highness, it occurred to the Lord Chancellor and Mr. Perceval, that it would be advisable to submit to his Majesty, on the part of his Majesty's servants, that his Majesty should be graciously pleased to make a grant from his droits, which might discharge it.

Mr. Adam, having laid this matter and Mr. Perceval's letter before the Prince, received his Royal Highness's commands to state to the Lord Chancellor and Mr. Perceval, that the main and principal motive which had uniformly directed his Royal Highness's determination, and which he had never for a moment lost sight of in this transaction, had been, to prevent (in these times of great and necessary public expenditure) any debt of his, or any other for which he might be considered liable, becoming directly or circuitously a charge upon the public.—That he had likewise been influenced by the desire of seeing justice done to the creditors of the Princess; although his Royal Highness is under no legal obligation whatever to pay those debts; and by the object of obtaining an indemnity against future excesses, debts, and demands, of her Royal Highness. On these grounds, his Royal Highness gave it to be understood to the Lord Chancellor and Mr. Perceval, that he did spontaneously take upon himself the payment of the sum stated in Mr. Perceval's letter to Mr. Adam of the 30th of May, in addition to the sum of 41,000*l*., formerly undertaken to be liquidated by his Royal Highness. After this communication, Mr. Perceval considered it to be necessary to ascertain, with as much accuracy as possible, the precise sum by which the debts exceeded the sum of 41,000*l*., and not to leave it under the uncertain statement of about 8,000*l*. And Mr. Perceval having examined the same, found that the excess above 41,000*l*. amounted to 10,056*l*. This state of the debt Mr. Perceval again communicated to Mr. Adam, anxiously wishing to know from Mr. Adam, what was to be done respecting the additional 2,000*l*., over and above the 41,000*l*. and the 8,000*l*.

Upon this matter being submitted by Mr. Adam to the Prince, his Royal Highness commanded him to signify to Mr. Perceval, that his Royal Highness could proceed no further; and that he considered it to be the duty of those who advised the Princess, to represent to her Royal Highness, that, considering the manner in which he had acted, both in respect of payment of debts and increase of income, that this additional demand should be discharged by her Royal Highness, and should neither fall upon the Prince nor the public; but be met by that restricted mode of expenditure on the part of her Royal Highness, to which, in common with himself, and other branches of the royal family, her Royal Highness ought to conform.

Under all these circumstances, and with a view to secure regularity in the expenditure of the Princess, and that all the demands upon her own income may be administered in such manner as is necessary to answer the intended objects, it is proposed, that the Princess shall, by a writing under her hand, appoint an officer of her own to receive the income now proposed to be fixed upon her Royal Highness by the Prince of Wales, from the treasurer of his Royal Highness; and that the Princess's officer shall receive instructions by that appointment, to settle the course of payments in like manner, and in like time, as the payments on behalf of his Royal Highness are directed to be settled by an Act of the 35th year of his Majesty's reign; and that the same officer shall be directed to appropriate a sum of money, by quarterly payments, to discharge the debt which is due, over and above those sums of 41,000*l*. and 8,000*l*. which his Royal Highness has undertaken to discharge.

Upon this proposal of the Prince of Wales, and with a view to secure in the mean time, and in the fullest manner possible, to his Royal Highness, the indemnity so reasonably required on the part of his Royal Highness, and with a view to accede to the other conditions, it is proposed, if his Majesty, as the father of his family, shall graciously so please, that the Prince should be furnished with authentic documents to prove that, in the faith of the transaction, it was thoroughly understood, and that his Majesty was graciously pleased so to understand it, and to think it reasonable that it should be so fully understood; that it would be contrary to what the Prince so reasonably and justly made an indispensable condition, and contrary to the absolute and essential faith of the transaction, that the Princess, having her debts, to the amount undertaken by the Prince, paid by his Royal Highness, and receiving the 17,000*l*. per annum, should exceed her income; and that, therefore, in the case before stated, immediate application should be made to parliament for such act as is before mentioned, it being always understood that this was a final arrangement, if carried into effect, as to the income which his royal highness the Prince of Wales is to allow to her royal highness the Princess of Wales: and it was further agreed and understood, that this document should be signed by the Prince, as making the proposal, and by the Princess, as signifying her Royal Highness's assent and concurrence to all the parts of it; and that the Lord Chancellor and the Chancellor of the Exchequer, who have been honoured with the knowledge of what has passed upon this subject, and such other of his Majesty's confidential servants as his Majesty shall please to point out, and the Chancellor of the Prince of Wales, shall put their names to the same.

(Signed) GEORGE, *R.*
WILLIAM ADAM. CAROLINE, *P.*

II. PAPER to which his Majesty's name is signed, as approving the transaction, and the Princess's, as testifying her consent to the Act of Parliament, and countersigned by the Lord Chancellor, the President of the Council, the first lord of the Treasury, and the Chancellor of the Exchequer.

His Majesty having been made acquainted with the foregoing proposal, for the purpose of learning his Majesty's pleasure how far his Majesty might deem it fit, as the father of his family, to do any such act on his part as the proposal has reference to, thinks it proper by this writing, signed by his Majesty, and with his Majesty's approbation, to be placed in the hands of the Prince of Wales, to signify, that his Majesty thinks it reasonable that it should be fully understood, and that his Majesty does so understand it, that it would be contrary to what the Prince reasonably and justly made an indispensable condition, and contrary to the absolute and essential faith of the transaction, that the Prince (regular payment of the 17,000*l.* per annum being continued) should remain liable in any way for the future, to the debts of the Princess of Wales; his Royal Highness having liberally undertaken, when thus secured by his Majesty being graciously pleased to sign this writing, and by the signature of the Princess of Wales, and the confidential servants of his Majesty, in manner proposed, to settle the debts of the Princess of Wales, to the amount of the sums of 41,000*l.* and 8,000*l.*, making in all 49,000*l.*, and to increase her Royal Highness's income to the net sum of 17,000*l.*; it being fully understood, that if her Royal Highness should exceed that income, and any demand in consequence thereof should be made on the Prince or his revenue, which shall not be discharged by the Princess when made known to her Royal Highness (the income of 17,000*l.* being regularly paid by the Prince's treasurer in equal quarterly payments of 4,250*l.*) in that case, and in consequence thereof, application shall be immediately made to parliament, praying that an act may be passed, indemnifying the Prince of Wales for the future from being liable to the debts of the Princess of Wales, the Prince continuing the income of 17,000*l.* in the manner specified above.

ELDON. (Signed) GEORGE, *R.*
CAMDEN. CAROLINE, *P.*
PORTLAND.
SP. PERCEVAL.

III. WARRANT, appointing an officer to receive and appropriate her Royal Highness's increased income.

Caroline, Princess of Wales, and so forth: To all to whom these presents shall come greeting. Whereas, under an arrangement sanctioned by his Majesty's approbation, his royal highness the Prince of Wales has undertaken to discharge certain debts, by us contracted, to the amount of 41,000*l.* and 8,000*l.* making in all the sum of 49,000*l.*; and has further undertaken, that the allowance of 12,000*l.* yearly, heretofore to us made by his said Royal Highness for our household expenditure, should be increased to the sum of 17,000*l.* yearly, to take place from the 5th day of July next ensuing, and to be issued from his Royal Highness's treasury, to such person as shall be by us appointed for that purpose, being the officer entrusted with the superintendence and management of the concerns of our household, in even and equal portions or payments of 4,250*l.* in each quarter of the year, clear of any deduction or abatement whatsoever: Now, we, reposing especial trust and confidence in the care and fidelity of Anthony St. Ledger, esq. our vice chamberlain, do by these presents nominate, constitute, and appoint, the said Anthony St. Ledger to be our treasurer and receiver-general, with full power and authority to receive for our use the before-mentioned allowance of 17,000*l.* yearly, and to give acquittances for the same to the Prince's treasurer, and to apply the monies so from time to time to be received, to the payment and discharge of all our household accounts; and in order to prevent the accumulation of debts in future, we do hereby enjoin and command the said Anthony St. Ledger, in the adjusting and settling of our said accounts, to observe and follow, so far as the cases may be made to assimilate, the same course of proceeding as is prescribed for regulating the mode of expenditure of the revenues of the Prince of Wales, by the Act of the 35th of his Majesty's reign, intituled "An Act for enabling his Majesty to settle an annuity on his royal highness the Prince of Wales, during the joint lives of his Majesty and of his said Royal Highness, for making provision out of his revenues for the payment of any debts that may be due from his Royal Highness, for preventing the accumulation of debts in future, and for regulating the mode of expenditure of the said revenues:" And whereas the before-mentioned sums of 41,000*l.* and 8,000*l.*, at which the debts by us contracted have been stated, are found, upon further investigation, to be short of the actual amount of such debts, by the sum of 3,306*l.* or thereabouts, occasioned as well by certain omissions in the statements delivered in, on our behalf, as from arrears arising on the current expenditure pending the negociations which preceded the present arrangement: our will and pleasure therefore is, that the said Anthony St. Ledger, out of the said yearly allowance of 17,000*l.* do set apart, in each quarter of the year, the sum of 125*l.* making 500*l.* yearly, and do apply the same to the liquidation of the said additional debt of 3,306*l.* or whatever may be the amount thereof, together with any further debt that shall appear by us contracted at the termination of the now current quarter, to end on the 5th day of July next; and that the said Anthony St. Ledger do continue so to set apart and apply the said quarterly sum of 125*l.* until the whole of the said additional debt, and any further debt that may be by us contracted in the present current quarter, shall be wholly liquidated and discharged. Given at Kensington Palace, the 18th day of June, in the year of our Lord 1809.

By her Royal Highness's command.

IV. WARRANT, authorising the payment of the increased Income.

GEORGE *P.*

Whereas under an arrangement, sanctioned by the approbation of our royal father the King, we have undertaken the payment of certain debts contracted by her royal highness the Princess of Wales, to the amount of 41,000*l.* and 8,000*l.*, together making the sum of 49,000*l.*: and we have further undertaken, that the sum of 12,000*l.* yearly, as heretofore by us allowed for her Royal Highness's household expenditure, should be increased to the sum of 17,000*l.* yearly, to take place from the 5th day of July next ensuing, and to be clear of any deduction or abatement whatsoever: our will and pleasure therefore is, that you do pay, or cause to be paid, unto such person as shall be appointed by her Royal Highness for that purpose, being the officer entrusted with the superintendence and management of the concerns of her Royal Highness's household, the before-mentioned sum of 17,000*l.* yearly, by four quarterly payments of 4,250*l.* in each quarter of the year, immediately as the money receivable for our use at his Majesty's Exchequer, shall come into your hands; such payment to be made without any abatement or deduction whatsoever, and the first quarterly payment to be issued in the month of October next ensuing: and for so doing, this, together with due acquittances for the same, shall be to you a sufficient warrant. Given at Carlton House, this 20th day of June, 1809.—By his Royal Highness's command,

(Signed) J. M'MAHON,
Privy Seal and Secretary.

To our right trusty and well-beloved general, Samuel Hulse, our Treasuser and Receiver-General, and to our Treasurer and Receiver-General for the time being.

ADDRESS ON THE TREATY OF PEACE WITH FRANCE.] Mr. *Baring* wished to ask the noble lord one question, before the discussion of the Treaty was entered into. He wished to be informed, what arrangement had been made between this country and Holland, with respect to the possession of the Dutch colonies, and particularly as to the Cape of Good Hope and Ceylon.

Lord *Castlereagh* replied, that as to Ceylon, it was already an integral part of our empire, having been ceded to us by a former treaty. As to the other colonies, there yet remained a negociation between the two crowns. It was evident that the policy of the arrangement to be made with Holland, as to the colonies taken from her during the war, depended, in a great measure, on the security of the peace to be concluded with France. He did not apprehend any difficulty in an arrangement between two powers who were so identified in interests and feelings.

Mr. *Baring* wished to confine his question to the Cape of Good Hope.

Lord *Castlereagh* flattered himself, that colony would also form a part of our empire; but the sacrifices made by Holland might be mitigated by other arrangements.

The order of the day being read, for taking into consideration the Treaty of Peace and amity between his Britannic Majesty and his most Christian Majesty, signed at Paris, the 30th of May, 1814,

Lord *Lascelles* rose to move an Address to the Prince Regent thereon. He said, he should have thought it necessary to make some apology to the House for rising to address them on a subject of such magnitude, if he had not felt it to be his duty, and that of the representatives of the nation, to express their congratulations at the peace which was now happily concluded. He felt this a most satisfactory duty to discharge, and he expected that the House would cordially agree with him in approbation of the Definitive Treaty. He had reason to believe that it had given universal satisfaction from the general demonstrations of joy with which it had been received in every part of this kingdom. In order that the House might see how far this peace had realised all the objects for which the war was originally undertaken, he should begin by reading an extract of his Majesty's Message to parliament, on the 11th of February, 1793. The noble lord then read an extract, in which his Majesty expressed a reliance on the "firm and effectual support of the House of Commons in prosecuting a just and necessary war; and in endeavouring, under the blessing of Providence, to oppose an effectual barrier to the further progress of a system which strikes at the security and peace of independent nations, and is pursued in open defiance of every principle of moderation, good faith, humanity and justice." During the progress of the long war that begun under such circumstances, that system of aggression on the part of France, which struck at the independence of all other nations, never once changed its character or varied its features: it continued to increase its system, until at length it had overcome the greater part of the powers of Europe. Every thing that had been recovered for Europe, was recovered principally by the exertions of this country; which had not only set a noble example, but afforded the most effectual assistance to other nations. He thought it was but justice to this country, and to those, who in the commencement of the war, saw the real nature of it, to say that it was by the perseverance of the country in those principles which were at first laid down, that those objects which we had in view from the beginning were now obtained. Independent of the great physical force which France was able to oppose to us, we had successfully resisted the attacks that had been directed against this country in its financial and commercial system. This success was mainly owing to the perseverance of this country, under the burthens of heavy taxation, scarcity of the necessaries of life, and want of employment for the labouring classes. He believed that no other people on earth would have exhibited so much perseverance, firmness, and patience under such trying circumstances. It was the example which this country had set, that had roused the whole of the powers of the continent against the common enemy. With respect to the Treaty itself, he did not think it necessary for him now to enter into the detail of it. He should principally consider what were the objects of France and this country at the beginning of the war. The objects of France were conquest, and the destruction of the maritime greatness and resources of this country. In those objects she had completely failed. The views of this country were avowed at the beginning of the war, and from that avowal it had never deviated. We disclaimed the principle of making conquests from France, or of interfering in her internal affairs. The security of this country, and of the other nations of Europe, was our great object for entering into the war, and that object had now been most satisfactorily obtained. This happy result was brought about doubtless by the hand of Providence; but, in the next place, it was the perseverance of this country which afforded a rallying point to the other nations of the continent against the common enemy. He then proceeded to take a review of the value of the different settlements which we retained. Tobago was desirable because the settlers were principally descendants of Englishmen, and anxiously wished to be incorporated in our empire. Malta had been always considered as a most important possession for a maritime nation, from its commanding situation in the Mediterranean. He also considered the stipulation respecting Antwerp as of very great importance.

That port was to be in future merely commercial, and we were no longer to apprehend the equipment of hostile fleets there. He believed that if at any time within the last 20 years, peace could be had without any acquisition of territory to us, but merely attended with the downfall of the destructive system established in France, this country would have gladly embraced such a Peace. The restoration of Louis 18, gave a great pledge for the security of the peace. As to the question of the Slave Trade, as that was a subject which had been fully discussed for two successive nights, he did not wish to go into at length. Although no man more cordially detested the Trade than himself, he was yet fully convinced that the noble lord (Castlereagh) had used every exertion in his power to abolish it, and that no blame attached to him if more was not done. The first object was undoubtedly to arrange the peace with France conformably to the views of the allies. The noble lord concluded by moving,

"That an humble Address be presented to his royal highness the Prince Regent, to return his Royal Highness our sincerest acknowledgements and thanks, for the important and satisfactory communication which his Royal Highness has been graciously pleased to make to us of the Definitive Treaty of Peace, concluded at Paris the 30th day of last month, with his most christian majesty the king of France and Navarre:

"That while laying before his Royal Highness this early testimony of our utmost gratitude for the re-establishment of peace, upon terms so honourable to his Majesty's crown, so advantageous to his people, and so wisely considerate for the interests and the honour of all; we beg leave also to express our unbounded joy and satisfaction, that the great objects of the war should have been so fully accomplished; and we cannot but regard the restoration of so many of the ancient and legitimate authorities upon the continent, as affording the best prospect of that solid peace and permanent tranquillity so essential to the interests and happiness of Europe and of the world:

"That we beg leave further to express to his Royal Highness our most grateful sense of the uninterrupted blessings with which this country has been so pre-eminently favoured by divine providence; and feeling, as we do, that the wisdom and firmness which have been evinced by the united Kingdom, during the whole course of this long and arduous struggle, have insured to us the objects for which we have so strenuously contended, we cannot but also indulge the well-founded hope, that the effects now resulting from our fortitude and perseverance, will serve as the most useful and salutary example to our latest posterity."

Mr. *Gooch* seconded the motion. He fully agreed with the language of the Address, that the objects for which the war had been commenced were obtained by a peace equally honourable to all parties. By this peace the country obtained all the securities it could desire, without any loss of national honour. The name of England was now higher upon the continent of Europe that ever it had been before. Within the last few years the stoutest hearts could hardly have indulged hope that the balance of power could so soon be restored in Europe. Thanks were due to the noble lord for the talents and moderation with which he had conducted himself during the negociation of the Treaty. It was true that all the objects of the war had been obtained. It was first undertaken for the overthrow of that democracy which arose in France; and next, for the suppression of the military despotism which succeeded to that democracy and threatened the ruin of Europe. The Revolution, however much to be lamented in its origin, was in the end productive of some advantages, for it taught this important lesson, that neither just authority nor the liberties of the people were to be trifled with. Upon this occasion, he could not be silent as to the principles which had uniformly guided the councils of this nation during the long war. To the principles of Mr. Pitt it was that the successful issue of the war was due. And he could not but remark that this great statesman, and those who had so ably followed up his principles, had got the two ablest men to carry their designs into effect. He alluded to lord Nelson and the duke of Wellington. He left the discussion of the particular stipulations of the Treaty to those who were more able. All the objects of the war were obtained, and the Peace was altogether as glorious to the British nation as any that had ever been made.

Sir *John Newport* noticed the unfortunate mode in which the mover and seconder of the Address had effected their design of securing unanimity, by introducing topics that could not but create dissent. What connection the duke of Wellington had with the plans and principles of the late Mr. Pitt he could not discover. The mover and seconder had talked of the unvaried system on which this long war had been conducted, whereas, in truth, there perhaps never was a war, the grounds of which, during the contest, had been so often changed. At one time, the object was to extirpate the revolutionists; at another, the object was indemnity for the past and security for the future; and at another, to destroy the colossal power of Buonaparté. It was impossible for any man, who thought as he did, to concur in this Address, which declared that the Treaty "was considerate for the interests and the honour of all." That the interests of the people of Ireland was considered, it was absurd to contend. The 13th Article of the Treaty was, in his view, completely objectionable, since it would prove the ultimate ruin of our fisheries—it resigned the most important parts of the coast of Newfoundland, of the river St. Lawrence, and Labradore. These fisheries were the most important nurseries of the navy, as might be seen from the fact, that America formerly employed 1,500 schooners in the river St. Lawrence alone, which employed above 12,000 seamen. The basis on which these fisheries had been conceded was the Treaty of 1792, a period when France was in a condition to dictate terms to England. The city which he represented would be peculiarly injured by this Article. The right hon. baronet concluded by observing, that he could not concur in the Address as having consulted all interests, but more especially on the ground of the most defective stipulation on the subject of the African Slave Trade, and by hoping that some arrangements would be made to protect the persons concerned in those fisheries, which had been so great a cause of our maritime strength and our maritime successes.

Mr. *Rose* maintained, that more concessions had not been made to the French by this Treaty, on the subject of the fisheries, than had been made on the occasion of the former treaties of peace with that country. All the possessions which had been given to her, were only such as to enable her to maintain and protect those fisheries. It was true that a remonstrance had been made to the board of trade on this subject, but he did not think that they could refuse to put the French in the same state with relation to these fisheries, as they had been in before the war. As to the extent of coast given to France, it was no more than was absolutely necessary for curing fish, and less could not have been given in order to enable her at all to profit by the share which she had in the fishery. He never heard any thing more visionary than what the right hon. baronet had said about this country employing 1,500 vessels, and 12,000 seamen in that quarter. He was quite prepared to meet the right hon. baronet on this subject on any day he would appoint, but at present it came upon him by surprise. He only wished the House not to go away with the impression that France had, by the 13th Article of their Treaty, obtained any new right.

Mr. *Wilberforce* said, that though he rose to propose an amendment, he was as far as any man from under-rating the exertions of his noble friend opposite to him, or from undervaluing the blessings of a peace which had exceeded the most sanguine hopes of the most sanguine anticipators. It was thus that nations favoured of Providence were blessed—by the wisdom of their councils and the valour of their arms, which insured a superiority over all enemies. Before he adverted to the main subject for which he had risen, there were a few topics to which he wished to advert. Though nothing could be more unprofitable than a retrospect of the events of the last twenty years, or to point out our varying opinions as applied to varying circumstances, which could lead to no end but to leave all persons in the possession of their own ideas; yet he should recur a little to past events, for the purpose of doing justice to a right hon. friend now no more. It did not appear to him that there had been any material alteration in the views on which the war was conducted. At the commencement of the war with France, we were in considerable danger from the aggressions of that country, and the opinions of a considerable party in this: Mr. Pitt accordingly talked at that time of indemnity for the past, and security for the future. These were then what he considered should be the foundation of terms of peace at that time. Then again, when the power of Buonaparté became overwhelming, his ideas of the terms of peace were necessarily changed. That colossal power, directed by a man of most extraordinary military talents, was the great object of dread, and the reduction of it, the great object of our exertion. In mentioning the name of Buonaparté it was impossible to avoid the reflection, that in false, and he might say in immoral and irreligious principles, were contained the seeds of their own destruction; for this great power, directed by the greatest abilities, had only ended in shame and disappointment, when directed against the happiness and independence of mankind. He was thankful that the present Treaty had been made before the general arrangement of the affairs of Europe, because it was better that this country should not be too much involved with the continent. Confederacies on just principles and for great purposes, were highly useful, as the event had lately proved; but he should have deeply regretted if the peace of this country had been liable to be disturbed for the sake of securing to this or that nation, that portion of territory which might be assigned in the final adjustment. He hoped that, at the general Congress, our government would enter into no such guarantee as might lead to a future war. War, unfortunately, had become so familiar to nations, that very little sufficed to excite it; it had become so long a habit, that to many it almost appeared essential to man's nature. He rejoiced that the throne of France was filled, not by a military despot, but by the successor of the hereditary monarchs of that nation; but instead of thinking, as some did, that the war could not break out again, because it had lasted so long, he conceived that, for this very reason, we should be more upon our guard. The monarch no doubt must have the most affectionate feelings towards this country, which had received and supported him in his adversity and exile; but it must be considered, that France was not now what she formerly was: the king was the monarchical head of a military country. The greatest moderation was necessary from all parties; there should be a general disposition to concede, conciliate, to bear, and to forbear. He was not much acquainted with the subject of the Newfoundland fishery, but he was not disposed to grudge to France a share of that lucrative trade. He was so far from feeling any jealousy at the prospect of her commercial greatness, that he sincerely hoped that she might have all that increase of wealth and happiness which so great and high minded a people deserved. Her habits at present were too military, either for her own repose or the repose of the world; an increase of commercial advantages might tend to excite different objects of pursuit, at once lucrative, humane, peaceful.

There was one other topic upon which he wished to touch. It was that most wise, most upright, and benevolent article of the Treaty, by which it was stipulated that no persons belonging to the ceded countries, or any others, should be persecuted or disturbed for any opinions or line of conduct which they had adopted under a different government. He was the more anxious to refer to this generous stipulation, on account of the afflicting intelligence which had lately arrived from Spain, of the distress and persecution of several members of the late government. If these men had been the enemies of their king and country, they would have been protected by such a provision as that now mentioned. But when he considered that these men, instead of being the friends of Buonaparté, were the very persons whose firm and unshaken minds had, through all circumstances, remained faithful to their nation and their sovereign; who, with a noble adherence to their principles, fearless and disinterested, unseduced by the most flattering promises, unterrified by the most threatening dangers,—still kept on their way, and in spite of disaster, and in the face of despair, upheld the dignity of their native land and its exiled monarch;—when he considered this, it seemed to him too much even for credulity itself to believe, that such illustrious men could be the objects of personal resentment with the prince for whose rights they had laboured and had conquered. [Hear! hear! from all parts of the House.] It was a subject he had very much at heart, and not the less because one of those eminent characters had written to him some time ago, stating his intention to move in the sitting of the Cortes for the abolition of the Slave Trade. This he was prepared to do even when his country was occupied with so many other important objects, and though its prejudices on that subject were so strong, and its supposed interests so great. This distinguished person was Signor Arguelles. And could the House be backward in its wishes to make some return for his meditated benefits to the great cause of abolition? He had thought to propose an address to the Prince Regent on the subject, but he should relinquish that course, in the hope that his noble friend would use his powerful influence, to prevent these praise-worthy men from becoming the victims of a cabal.

He was ready to give his Majesty's ministers the greatest praise for the skill and temper with which they had assisted in preserving the union of so many and variously-interested powers. This praise was also due to the duke of Wellington, who had succeeded in harmonising the discordant feelings of different nations; who had shewn in the greatest degree the seemingly-incompatible qualities of heroic courage and high-mindedness, of the mildest moderation and forbearance; who had overlooked all personal vexations, and scoffs, and insults, from the very people whom he was serving, and kept his eye steadily fixed on the great object, where he saw his own glory and his country's glory inseparably connected. He trusted that the House would pardon him for this digressive tribute to the character of a great man.

He now felt it due to himself to say, that he still entertained the same opinions, and in precisely the same force, as to one article of the Treaty, which he had before expressed. Of that article he could never think with approbation. He was aware that the subject was beset with difficulties; and he could confirm what had been said by the noble lord, that the French people by no means gave us credit for humanity on account of the abolition, but thought we were actuated by selfish views of commerce, hypocritically disguised under a better name. But with deference to the noble lord, he conceived that those very persons who made such imputations were not so high-minded but that they might have been easily worked upon by motives of interest. For his own part, he still had hopes that truth would prevail, and that the French would feel the sacrifices which we had hazarded for the sake of humanity, and know that, in the same cause, we would willingly submit to sacrifices still greater. He hoped, that by some additional sacrifice an abolition might be procured from France, which would be more effectual than the same measure, if obtained by compulsion. It was a favourable omen of further and complete success, that the discussions in another place (Freemason's-hall) on this subject, had found their way into the principle French Journal. As he did not wish to disturb the unanimity of parliament, and at the same time desired to preserve his own feelings from being misconstrued, he should propose the following clause, as an amendment to be inserted in the Address.

"That, with reference to the first additional Article, this House having on the 27th instant humbly conveyed its sentiments to his Royal Highness, we defer the expression of any further opinion until that whole matter shall have been discussed and settled at the approaching Congress, to which it is stipulated to be referred under the said Article; relying on the known justice and humanity of his Royal Highness, that no effort will be wanting on his part to give the fullest and speediest effect which the circumstances of the negociation may allow, to the wishes so repeatedly declared by us, for the abolition of the Slave Trade."

This Amendment, the hon. gentleman observed, was the same in effect as the Address of the 27th; but it would save the House from the expression of their satisfaction at the continuance of a traffic that was all blood—a traffic composed entirely of rapacity, injustice, violence, robbery, and murder, aggravated by foul and cruel treachery. He could not but hope, that when the noble lord went to the Congress, reinforced with the sense of the strong feeling of the House and the country, the power of the cause and additional sacrifices might prevail; and we might at least console ourselves, that the more efforts we made on this subject, the more worthy we were to enjoy the blessings of Providence. The hon. gentleman then proposed his Amendment.

Lord *Castlereagh* thought that the Address carried on a former night was sufficient to express the sentiments of the House, but if the hon. gentleman thought the objects of the House made more distinct by being repeated, he had no objection to the Amendment.

The Amendment was then ordered to stand as part of the motion *nem. con.*

Mr. *Baring* said, that although he generally approved of the Treaty, he could not express his opinion, without glancing at what had been said by the hon. mover and seconder of the Address, in praise of the system of policy which had been adopted. Instead of feeling entire partiality to the system of Mr. Pitt, he must say, that the false policy with which the affairs of this country had been conducted in his time, had been the sole cause of originating that military monster which the united efforts of the allied powers had so happily succeeded in crushing. This system of policy ought, therefore, by no means to be compared with that different spirit which had dictated the united deliverance. He was ready to give full credit to his Majesty's ministers, and to admit that their co-operation on the late occasions had been directed by great wisdom: at the same time, it was impossible not to see that the general alliance had originated in the disgust and indignation of all Europe at the conduct of the late government of France. It was not surprising that the allies, seeing the actual state of Europe, should have advised this country to make those exertions, which were far superior to the petty and pitiful efforts that had been adopted at an earlier period. However, the great object being gained, he was ready to admit that this country had nothing to complain of in respect to the commercial regulations of the Treaty. Taking into consideration the value of the colonies which had been given up, he was rather inclined to think that we had been too liberal, and had given up more than could have been reasonably expected. The leaving of the fisheries open was more than had been granted upon former occasions. He was inclined to give credit to our minister for not pressing the commercial treaty, because the prejudice which prevails at the present time against us, as a trading people, must have operated to our disadvantage. He would rather have seen the Mauritius included amongst the cessions, because those islands would be of little advantage to us; they could not be retained without a considerable expense; and as we possessed Saint Helena and the Cape, we could be in no want of stations for our India ships on their passage. But the worst consequence of our retention of the Mauritius would be, that it would induce France to fix herself on the great island of Madagascar, where she could carry on the Slave Trade in connection with the southern coast of Africa, to a great extent. On the subject of the Slave Trade generally, he must say that the greatest apprehension ought to be entertained of its falling into the hands of France, for if it were, our possessions in the West-Indies would experience incalculable injury. Those markets which might become the depots of slaves, would also become the centre of all the colonial produce, and would finally command the whole carrying trade of the West Indies. That the French would pursue this Trade, was greatly to be feared; for, unless could expect their morals would be deep altered, it was not to be believed that the would feel disposed to give up the Tra in five years. Thus, whatever colony ha the command of the Slave Trade, wou also command the sugar trade, and ever other. Respecting the territorial regul tions about to be arranged, he only hope that care would be taken not to place th minor states in a situation which wou make them subservient to their neighbour On the whole he considered the Treaty just and moderate in the extreme.

Mr. *Stuart Wortley* concurred entirel in the sentiment that the war had had th same object from the beginning to th end. It had been said to have three di tinct objects at different times.—1. T overturn the republic. 2. To procure indemnity for the past, and security for th future. 3. To overthrow the tyranny o Buonaparté. But these three objects, s far from being incompatible, were one an the same. For our whole object in a these was to oppose an effectual resistanc to the dangerous aggressions of France He approved of the Treaty of Peace, because it had been concluded on the principles on which the war had been conducted, principles which had always ha his support, and of which the event ha proved the justice.

Mr. *J. P. Grant* said, that he differe from the last Speaker. We had not pu down French principles by our oppositio to them, but they had put themselves down by being incompatible with human nature. As for indemnity for the past, we had procured no such indemnity: though we had procured security for the future, the only indemnity for the past which a wise government, situated as were, would look to or hope for. Lastly, the power of Buonaparté was a power, which no man in the House or in the country had not wished to overthrow; with respect to that object there had been no difference of opinion, though there might have been as to the means of accomplishing the end. But the overthrow of that power was not owing solely to this country or even to the allies: it was owing more to Buonaparté himself than to any resistance which had been made to him. The learned gentleman said it was painful to make objections to a Treaty like the present, but there were some parts of it which he deemed imprudent, and others which appeared to him highly disgraceful. By making this Treaty with France at e time we did, Great Britain had placed rself in a disadvantageous situation. e had heard it said, that it was proper to nclude a peace while the impression of e victories of the allies was fresh on the inds of the French people, and that reat Britain would go to the Congress ith more weight and influence in conse-ience of the Treaty being signed: nei-ier of these positions appeared to him to e well founded. If, indeed, sacrifices ad been demanded of France, there ould then have been some appearance truth in the statement; but this was either the case in point of fact, nor ould it even then have been true policy, ecause no country could long submit to nditions forced from them by the imme-ate pressure of circumstances. As to e second point, the supposition that ngland would go to the Congress with ore weight and authority from having gned the Treaty, he could not conceive e subject in that point of view. Eng-nd had necessarily lessened her weight such a Congress, and her influence over rance, by having given up her colonies—e only equivalent she had to offer for y sacrifices to be demanded from or ade by other powers. He deprecated at clause in the Treaty which supported e claim of Sweden to Norway. He had t been present in the House when that estion was debated, nor should he go to it now, any farther than to enter his otest against it as one of the most ruin-s and disgraceful measures in which is country had ever embarked, and hich gave him more pain than almost y subject could do, except the one to hich he should next advert, the introduc-on of the Article relating to the Slave rade.—The learned gentleman panegy-zed, in glowing terms, the services ren-ered to the cause of the abolition by the on. gentleman near him (Mr. Wilber-rce). Human nature, indeed, owed at hon. gentleman the most impor-nt obligations, and if he was not to reap e fruits of his long labours, it would be wing to the noble lord on the other side ord Castlereagh). It was asked, would e advocates of the abolition require mi-isters to go to war with France for the ccomplishment of their object? But in swer, he would ask, would France go to ar with us for the maintenance of the lave Trade? For himself, he declared his ll conviction that such an apprehension as preposterous. It was also asked, whether the friends of the abolition would require the French government to be insulted by insisting upon the immediate adoption of their principle? but in answer, he would ask, had not the French government been actually insulted? For that government was required to declare, that the Slave Trade was contrary to the principles of humanity and justice, and on this condition she was allowed to continue that Trade for five years. Thus, truly was the feelings of France consulted, and its honour saved. If French understanding was thus to be managed, he could not suppose such management likely to influence the understanding of England. The people of France were not, the noble lord said, sensible of the wickedness of this Trade, and therefore they were not disposed to abstain from it; but it was calculated, that after they had embarked capital in it, and derived profit from it, they would then become disposed to abandon it altogether. What a profound calculation! How creditable to the judgment of those by whom it was indulged! But the fact was, that this Article betrayed an entire forgetfulness of the honour of this country and the interests of humanity. The noble lord, indeed, seemed to forget in this transaction the honour of his colleagues, for the public and the House could not have forgotten this conduct of the noble lord and his colleagues on the discussion of the Slave Trade in parliament. Therefore their character must suffer by their acquiescence in this odious Article. The thinking part of the country would naturally apprehend, upon a full view of the case, that if the question for the immediate abolition of the Slave Trade, instead of being brought forward with the cold fidelity of duty in consequence of the Address of parliament, had been pressed upon France in the firm tone which the noble lord was entitled to assume, and urged with the zeal and ardour which an anxious friend to the abolition was likely to feel, France would have yielded, and the object of humanity would have been attained. But, unfortunately, this object had failed through the noble lord, and, therefore, notwithstanding all the eclat which attached to the Treaty before the House, he had no hesitation in declaring, that he would not barter his own obscure and humble name, for all the honour or fame that the noble lord might possess or aspire to, accompanied with the disgrace of having subscribed to an article so scandalous as that which sanctioned the continuation of the Slave Trade.

Mr. *Canning* said, that while he felt as warmly as the hon. and learned gentleman who spoke last, for the abolition of the Slave Trade, he could not concur with him in blaming the conduct of the noble lord or his colleagues in the great transaction under discussion. Indeed, he felt inexpressible satisfaction, that from the Amendment adopted on the proposition of his hon. friend, he was enabled, without qualification or reservation, to express his entire approbation of the Treaty before the House, which he had no hesitation in declaring to be the most glorious that had ever been concluded by the government of England. It was undoubtedly true, that he differed from those who thought that the question of abolishing the Slave Trade would, if insisted upon by this country, have ever led to a question of war or peace with France—or that if we had firmly stated "no abolition, no colonies," our perseverance in that statement would have produced war. But although, in this view, he differed in opinion from the noble lord, it did not therefore follow that he imputed blame because the noble lord and his colleagues had entertained and acted upon a different calculation. He rather, indeed, took blame to himself, and perhaps his hon. friend (Mr. Wilberforce) partook of that blame, for not pressing the insertion of a sentiment in the Address of the 5th of May last, sufficiently decisive to urge the noble lord to insist upon the immediate and general abolition of the Slave Trade, and thus to arm the noble lord with the authority of parliament, to use a tone of firmness, to France and others, upon this important subject. To his hon. friend, he had privately communicated his opinion as to the expediency of embodying such a sentiment in the Address alluded to, but from a desire to secure unanimity, that course was not pressed. The House then declining to speak in the language of decision, a discretion was left to the noble lord and his colleagues, which discretion was, he had no doubt, exercised to the best of their judgment; and therefore, although he differed from the opinion, he could attach no censure to the conduct of ministers. As to the insinuations thrown out against the sincerity of the noble lord and other ministers (with respect to the abolition of the Slave Trade) who had in parliament differed from him and others on the discussion of that subject, he was enabled to declare, from personal knowledge, that when he came into office in 1807, the cabinet were unanimous in assenting to the completion of the Bill for abolishing the Slave Trade, although of that cabinet he alone, and his late right hon. friend (Mr. Perceval), were among the advocates of that measure in parliament. But the noble lord, and others of the cabinet, finding the sense of parliament and the country decidedly in favour of the abolition, promptly acceded to the measure, and the Bill alluded to received the royal assent. He saw no reason therefore, to entertain the suspicions to which he had adverted: and he must also deprecate the suspicions expressed as to the sincerity of the French government. To say the least of it, he could not think it politic to express any such suspicion. It certainly could not serve to promote the success of the great object in view, to promulgate any doubt of the disposition of the French government to perform its contract by abolishing the Slave Trade in five years. Indeed, he saw no good ground to question that disposition; but in a short time the sincerity of the French government would be brought to the test, for she stood pledged to co-operate with us in producing the general concurrence of the other powers of Europe in the abolition of the Slave Trade, and he trusted that on this occasion it would be stipulated, that each power should become a guarantee for the others' observance of the contract for this desirable end. The noble lord would, he had no doubt, seek to render the stipulation on this subject as effective as possible. But with a view to the object, he was persuaded that our policy was not to express any suspicion of the sincerity of France, or to insinuate any doubt of her disposition to perform her contract, but rather, in a tone of confidence upon her good faith and adherence to her bond, to call for her co-operation in the great cause of humanity in promoting the universal abolition of the Slave Trade.

With these sentiments, as to the Article respecting the Slave Trade, which was the only one of doubtful complexion in the whole Treaty, he could see nothing in this great transaction in which he did no concur, nay, which had not his most cordial approbation. There were some details which he did not think it material t couple with the consideration of this important Treaty, but it might not be amis

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to state, that he had received some representations with respect to Newfoundland, which, however, would rather more require to be attended to by the noble lord on those discussions with America, which were shortly to be expected. True it was, that on this point respecting Newfoundland, it was proposed by some to leave us on the same footing as that settled by the peace of 1783. But with all deference, that was not a period or a compact to which we should now look for the guidance of our conduct. We should not now look for precedents to the humiliating conditions extorted from us by a triumphant enemy, or by a separating friend, who, of the two, was much more forward to exact from us. No, we must not revert to those arrangements, which were to be regarded as trophies of victory to our enemies, and monuments of degradation to ourselves, as rules to direct our judgment under existing, and, happily, very different circumstances.

While he was ready to compliment the ability with which the last speaker had stated and argued his view of the subject, he hoped that it would not be considered inconsistent with that compliment, or the respect which he felt for the learned gentleman's talents, if he expressed an entire difference of opinion from him and others, as to the policy of concluding a separate peace with France. This he thought, in fact, the most eminently meritorious part of the conduct adopted by his Majesty's ministers. For it was wise to set matters right with France first, to place her in her natural position—to restore her to light and reason, and steadiness, in order that she might be enabled to walk upright to the general Congress that was to restore and settle the affairs of Europe. It was to be considered that France was not yet in her proper state, that there was only a change of monarch, while the limbs and vital springs remained still the same, and that she therefore required time to repair her losses, to re-establish her order, to arrange her affairs. But according to the learned gentleman, we had, by concluding a peace with her, been shorn of our strength. With deference, however, to the opinion of the learned gentlemen, we should by this Treaty go to the Congress with an accession of strength, for we should go to it with an accession of character. We had by this Treaty clearly manifested the integrity of our object, we had disabused Europe, we had removed all suspicion, and it would be idle to disguise that some suspicion did attach to our views; but by this Treaty we had not only secured peace to ourselves, but given peace and tranquillity to others, and on such grounds as could leave no doubt as to the purity of our views in the prosecution of the war.

There was one point to which he thought it necessary here to advert, not with a view to discussion, but merely to ask information from the noble lord—and this information he was induced to ask in consequence of what appeared in the public papers. It was said that Italy was to be divided into independent states, and it would be most satisfactory to him to learn, that in the final settlement of that territory, the interests of the government of Naples, which had proved itself among the most faithful of our allies, would be duly considered. Keeping that consideration in view, the prospect which the Treaty held out—in the settlement of the ancient governments of Europe—in the restoration of genuine tranquillity—was peculiarly cheering to every friend of humanity, of social order, and rational liberty. Thus the great objects of the war, which, overleaping the Truce of Amiens, had, for twenty years, been steadily and uniformly pursued, were at length happily attained. Thus the principles upon which the war was undertaken were established—thus our pledges were redeemed—thus our perseverance was rewarded. And such a great and gratifying result, so much exceeding the most sanguine calculations, could only be attributed to the interposition of an over-ruling Providence.

The hon. and learned gentleman who spoke last had said, that he would not desire the production of the Treaty proposed at Chatillon, because it must be matter of regret, if, in that document, it should appear that more concessions were offered to Buonaparté than had been granted to the present government of France. But he could not think that ministers were to be blamed if peace had been made, or nearly made, with Buonaparté:—at least such blame could not be imputed by those who had so often called upon government to make peace with that man—who had so often deprecated the indulgence of any personal prejudice likely to prolong the war. But the fact was, that no such prejudice prompted the prosecution of that war, which was now so gloriously terminated, in the attainment of that which was beyond its original aim and object—he meant the restoration of the ancient dynasty. Yes, he could say most truly (and the statement could not now be supposed a mere answer to those who deprecated perpetual war), that however desirable that restoration, it never was the object of the war with any of the governments by which it had been carried on. But the policy of the war was fully explained in the able paper of lord Grenville, in which alone the cause of the Bourbons was mentioned. The re-establishment of that family, however, was never, he repeated, the object of the war. The real object of the war was the establishment of our own security, and the tranquillity of the world: and, with a view to this object, it was necessary to resist the principles of that violent convulsive republic, which, having desolated France, sought to shake all the established thrones and governments of Europe. With that view, we had resisted the military despotism which grew out of that convulsive system. We contended against the Jacobinism which gave birth to the war in all the shapes and forms which it had assumed to disturb us and the whole civilized world; and we had finally conquered. Yes, we had completely conquered; and he declared that, in pursuing this glorious conquest, he thought nothing more praise-worthy than the signal patience which this nation had manifested. The people of this country were, in fact, not so much entitled to praise for what they had achieved, as for what they had endured; not so much for the valiant promptitude with which they marched to the battle, as for the manly steadiness with which they stood at their post. It had been said that the spurious fire of French liberty, which burned only to consume, would have burned out without our interposition. But we had promoted and witnessed its final extinguishment, and we had the proud satisfaction of seeing, that the nation in which it raged, had at length come to our own country for the pure flame of national liberty. This he conceived a high source of national congratulation. He doubted much, indeed, whether that undisputed dominion of the sea, which was the conquest of the war, or whether the splendid achievement of our gallant army, and its unrivalled leader, afforded so much matter for just congratulations, as that result, as to find, that after overcoming the wild, enthusiastic, delusive spirit of liberty which desolated France—that after being the saviours, we had become the models of Europe. Let us hope, for the interest of mankind, that this model would be generally adopted—that all nations would endeavour to introduce that vital spirit, that germ of strength, which had enabled so small a country to make such extraordinary exertions to save itself, and to deal out salvation to the world.

He agreed with the noble lord (Castlereagh) as to the propriety of abstaining from the use of any force, to press the adoption of our moral conceptions and political principles upon any nation whatever. But he hoped and trusted, that a consideration of the nature of our institutions, with the capabilities which they conferred, and the effects to which they led, would have a due effect upon all governments and people. That in reviewing the unparalleled exertions which such a limited population had made to repel unparalleled dangers—that in considering our signal triumph with elevated spirit and augmented strength, the great cause of all would be duly estimated. That such would be the result there was every reason to hope, from what had already happened; and this was a proud reflection. It was impossible, indeed, for any British subject not to be gratified in such a happy state of things. But the same feeling animated the parliament and the people, and therefore he cordially concurred in the propriety of laying the expression of our congratulation at the foot of the throne.

Mr. *Hamilton* contended, that if it could not be shewn by the noble lord (Castlereagh) that every effort was used to restore to Ferdinand the kingdom of Naples, that must prove a slur upon the government of this country. The king of Naples had proved a faithful ally to this country, at a time when every one else had deserted us. It was a notorious fact, that Naples had been lost to the king of Sicily, by his attachment to England. The honour of the country, therefore, would receive an indelible stain, if every effort was not made to procure its restoration.

Mr. *Ponsonby* declared it not to be his intention to disturb the unanimity of the House on the present occasion, although, certainly if the words proposed by his hon. friend, as an addition to the Address, had not been received into it, he should have opposed it. It was not his wish to resume the debate on the Slave Trade, as he had twice already taken an opportunity of delivering his sentiments on the subject, and the House had heard enough from him on that point. He must, however, still be allowed to repeat, that that could never by him be called an honourable treaty of peace, which had such an article in it. He could not give his vote, therefore, in support of the proposed Address, without stating, in a few words, the grounds of that vote. This was a Treaty of pacification between the allied powers and France, but on which no provision was made as to any of the great questions of territorial arrangements between the other parties independently of France, but which were referred to a Congress to be there adjusted. He should not, therefore, say a word on those points, presuming such a discussion to be premature, and that it would be pernicious to debate them. He must protest, however, against a doctrine which he had heard uttered that night, that it was the interest of this country to abstain as much as possible from interference in continental interests and connections. He maintained quite the contrary of this. He contended that it was not her interest to keep herself insulated, and apart from the affairs of the continent; but that she was to find her safety in the safety of the continent of Europe; as the continent of Europe was to find her safety in the safety of England. It was for this reason that he had never urged ministers to endeavour to take any advantage of a favourable aspect in the situation of our own affairs, to endeavour to conclude a peace, till a peace could be procured as favourable and honourable for the powers on the continent as for these islands. When he said this, he did not mean to recommend a meddling and officious interference in the affairs of other countries; but only a watchful care and anxiety that the interests of one power should not be sacrificed to the ambition of a more powerful neighbour. If this reservation was allowed to him, and the discussion of the particular points of arrangement, as they should be adjusted at the Congress, was to take place, at some future opportunity he should agree to the Address on the Treaty as now proposed. There were one or two points, however, on which he could not help saying a few words. One of the points to which he referred was the state of Poland. The partition of it, he had no hesitation in saying, was the circumstance which first endangered the safety of Europe, and led even to the French Revolution. No man could deny this; and if the noble lord opposite was to be the negociator at the Congress which was to take place, or whoever was that negociator, the interests of Great Britain and of the world required that he should attend to that circumstance. For, unless there was a return generally to those principles which had prevailed previous to the partition of that country, in an adherence to that system, would be found the seeds of perpetual contest. The principle which dictated the partition of Poland had dictated the conduct of Buonaparté also. He denied that the one was more mischievous than the other. He wished that the return to those principles should be universal. He wished that every idea of partition should be abandoned, not by France only, but by all other countries; and that a return should be made throughout Europe to that system which had prevailed previous to the partition of Poland. Who was right or who wrong at the commencement of the war was little to the present purpose, nor should he disturb the harmony of the debate by any enquiries on that subject, though he was not without a decided opinion on the point. As to the Treaty itself between France and England, he perfectly approved of it. The noble lord was right in concluding it. France had, no doubt, got some advantages, but they were not greater than they ought to have been, and the noble lord was correct in agreeing to them at once (with the exception always which he had set out with mentioning) rather than postpone the conclusion of the Treaty probably for a month.

Mr. *Whitbread* said, he was in parliament when the war, now happily concluded, first broke out, and he had constantly been in opposition to the persons by whom that war was conducted. He had hoped that the Address submitted for the adoption of the House would have been so worded, and also that the speech introducing it to their notice would have been so framed, as to render that unanimity, which the noble mover courted, possible. When the noble mover and seconder of the Address, however, attacked those whom he had supported throughout, the question was not whether he could vote for the Address, but whether he could tamely submit to admit it as a fact, that all which he had said, or thought, and still thought, was founded in error. Men in general were admitted to be liable to error; but the supporters of the war, they were now given to understand, were infallible, and had had their tion could have been accomplished. Even supposing he could have been awakened from that dream of ambition which had so long deluded him, and that, instead of being the agitator and disturber of the world, he had appeared as the only person sincerely desirous of peace, and eager for its attainment, still there was that feeling throughout Europe with respect to him, that any peace concluded with him would necessarily have been viewed with an eye of jealousy and suspicion. While, however, he (lord Castlereagh) felt all the difficulties which that state of things created, and with all those embarrassing circumstances full in his consideration, yet he felt satisfied that so long as he should continue *de facto* at the head of the French government, so long as he had the power of swaying the destinies of France, there was no alternative for this country but to treat with him. But he could not disguise from himself, nor could the House disguise from itself, that if the discussions at Chatillon had ended in peace, that peace concluded with Buonaparté, would have been but little congenial to the state of the public feeling in this country. The hon. member, however, (Mr. Whitbread), had done him no more than justice in believing, that had he been conscientiously convinced of the policy, expediency, or necessity of concluding a peace with that individual, no apprehensions of what might be the public feeling upon such a peace would have deterred him from bringing the negociation to a conclusion.

The House should bear in mind also, an important fact connected with this part of the subject. If we had refused to negociate with France, while subject to the dominion of that individual, from that moment we should have laid the ground for the dissolution of that great confederacy which was arrayed against him. The principle of disunion would have been immediately introduced by such a determination. The allies had professed their willingness, and practically had acted up to their profession, to treat with him so long as he should continue at the head of the government, and could give validity to its acts. The House would remember that he (lord C.) had gone out from this country expressly to treat with him, in conjunction with our allies; but after he had ceased to rule, a very obvious change of policy presented itself. The projet which the allies gave in at Chatillon, was, after he had been successively victorious in five engagements, and when a considerabl degree, he would not say of despondency but of uncertainty and doubt, prevailed as to the issue of the campaign. At the same moment, also, the allied powers entered into that solemn engagement at Chaumont, by which four of them engaged to bring into the field 600,000 men the most important contract, whether the magnitude of the force to be brought forward, or the object to which it was to be applied, was considered, that the history of European diplomacy perhaps could furnish! The temperate but firm conduct of the allies, which they manifested throughout the whole of their proceedings, had largely contributed to their successes. To that alone might be attributed the glorious result of their entering Paris in triumph as friends and deliverers. There was no doubt but that the capital might have been entered, in a military point of view, under different circumstances; but the most calamitous consequences must have ensued from such an occupation of it. The triumph of the allies in this respect arose entirely from the errors and infatuation of the late ruler of France. Had he not removed himself to such a distance from the capital, had he not made so many false military movements from that spirit of exaggeration which he sustained to the last moment, and if prince Schwartzenberg, by a prompt and decisive manœuvre which would immortalize him as a general, had not appeared to fall into the snare which was laid for him, by which means he gained at least five marches upon his antagonist, the French troops might have been interposed between him and Paris, and which, if then entered at all, must have been entered as a scene of warfare and misery, and not in triumph.

An impression had gone abroad, he knew, that the negociations at Chatillon were broken off, in consequence of intelligence received there of the transactions that had taken place at Bourdeaux. Nothing could be more unfounded than that supposition. The movement in the west of France was certainly known at Chatillon, but the further progress of the negociations was not suspended until the allies were unequivocally convinced that Buonaparté was trifling with the negociators. The immediate consequence of breaking off those negociations was the advance of the allied army, composing a body of 100,000 men to the gates of Paris; and he trusted the House would feel that he manly declaration put forth by them when there, contributed essentially to that happy and prosperous termination of the contest which afterwards took place. That declaration, which announced the determination of the allies not to interfere in whatever might be the decision of the people of France, with respect to their future government, gave an impulse to the public feeling which could not have existed under any other circumstances. It was a spontaneous movement on their part. The first communication received from Paris, by the allies while they were at Chatillon, which could at all be regarded as an authentic instrument of any persons of consideration there, was after the rupture of the negociations at Chatillon had been made known in Paris, and that there existed no prospect of any peace being concluded with the head of their government.

Having thus entered into those explanations which he thought the occasion required of him, he should now proceed to state the principles by which Great Britain had been guided in negociating the Treaty then before them. The language uniformly held by this country to the continent had been, that if the people of Europe were willing to fight for their own liberties, England would stand by them, and aid their efforts; but if, from want of ability or want of inclination, they shrunk from the contest, that then England was determined to do justice to herself, and would provide by her own strength for her own security. We had conquered every colony belonging to France. Not a flag waved among them that was hostile to this country: but we were, notwithstanding, disposed to make large and liberal surrenders of our conquests, if we could be satisfied that they would contribute to the permanent tranquillity of Europe. It was necessary, we contended, that France should be reduced in her territorial limits, and, above all other points, we maintained the necessity of restoring that ancient and faithful power Holland, and providing such a barrier for her as would secure her against any future encroachments upon her liberty and idedendence. In proportion, too, as Holland could be made strong and secure, her claim to the restoration of her colonies would be considered by us as advanced with additional force and propriety.

He trusted that Holland, with the proposed union of territory and possessions, would be perfectly able to maintain her independence. Although the arrangements on that subject were not complete in the Treaty which had already been signed, they would be concluded, and he had no doubt satisfactorily to all parties, in the negociations which were approaching. If in the general arrangement new combinations of territory took place, that would not be surprising after a war of such duration and extent, in the course of which the limits of kingdoms and empires had been in a state of perpetual fluctuation.

With respect to the liberality which had been manifested by this country in her colonial cessions to France, he would only say, that there was no principle of the truth of which he and those with whom he had the honour to act were more persuaded than this; that it was expedient fully to open to France the means of peaceful occupation, and that it was not the interest of this country to make her a military and a conquering, instead of a commercial and a pacific nation. It was on another principle that we had withheld from France Tobago, namely, that it had been first settled by Great Britain, and that in fact every individual at present on the island was a subject of Great Britain. The French government, feeling the force of this circumstance, had not dissented from our withholding the island of Tobago from our other West India cessions. With respect to the East Indies, our propositions had been met by the French government in a spirit of the utmost fairness and accommodation; and with an evident disposition to come to an equitable adjustment. It had been laid down by us as a principle, that where the empire was practically on the side of one power, it was better for the happiness of India and for the peace of the two European states that France should entirely abandon the empire of India to us on the one hand, while, on the other, we should afford to France every facility of commerce in that quarter of the globe. To this the French government acceded. Her commercial stations in India were, therefore, ceded to her, with the exception of the Mauritius, which had been claimed by the British government, not on account of any commercial advantages resulting from its possession, but because in time of war it was a great maritime nuisance, highly detrimental to our commerce. In the two last wars, the injury to our commerce by the occupation of the Mauritius on the part of the enemy, as a cruising station was incalculable.

While on the subject of withholding some of the French colonies, he would recur to the West Indies to observe, that we had there retained St. Lucie, not for its commercial advantages, but on the following grounds: France possessed the four best ports in the West Indies. We had no port at all equal to them. Those ports were Guadaloupe, Martinique, St. Lucie, and the Saints. It being the opinion of our naval authorities, that one of these was necessary to our security, we had demanded the Saints, as the least valuable in any other respect than as a harbour; being little more than a barren rock. The French government had an impression, however, that the possession of the Saints was essential to the preservation of Guadaloupe. To us it certainly did not appear that Guadaloupe would be at all endangered by our occupying the Saints; but as all that we wanted was a good port, we accepted the offer of the French government to give us St. Lucie, an island which was more valuable in other respects (although not to a great degree) than the Saints. He hoped, therefore, that the House would perceive in the whole course of these arrangements, that his Majesty's government had been actuated only by a wish to secure the possessions of Great Britain, and that they entertained no desire whatever to cut down the commercial prosperity of France. With respect to the Newfoundland fishery, he was fully aware of the great importance of that subject; but it appeared to him that it would have been invidious, and that it would only have excited a feeling of jealousy, to have tried to exclude France from the share in that fishery which had been secured to her by her two preceding treaties with Great Britain.

As to the question of indemnity, the article in the Treaty relating to that subject was extremely interesting in its nature. Although his Majesty's ministers felt that they could not dictate to an independent government the course which it should pursue in its internal administration, they could not contemplate, without great pain, the probable establishment of a system of perpetual resentment in France. But they felt also that they should injury the cause of conciliation if they did more—they never attempted to do more, than to obtain indemnity for those individuals, obnoxious by their proceedings to the existing government of France, who were inhabitants of the ceded colonies. Undoubtedly, however, his Majesty's go vernment recommended most strongly t the French government an abstinence from all ulterior measures of a severe and san guinary nature, although they had not th right to dictate the practice of such mode ration.—A right hon. gentleman had put question to him with respect to the stat of Naples. When it was recollected however, that the British government ha contracted no engagement with the perso at the head of that state, but that merel a cessation of arms had been agreed upon it could not be expected that he shoul explain the course of policy which it wa probable would be eventually pursued wit respect to it.

Upon the whole, he flattered himse that the deepest impression had been mad upon the continent of the disinterestedne of England. He flattered himself that it ha been incontrovertibly manifested, that th whole policy of England throughout th war had been founded on the great an broad principle of contending for th common security. He flattered himse that all the imputations, that we had en gaged in the war or continued it for pur poses of selfish ambition, had been re moved; that the conduct of Great Britai had been vindicated; that it had bee proved she had been driven into the war b nothing short of an over-ruling necessity and that she was ready to sacrifice ever thing, of which, for her own security, sh had been reluctantly compelled to tak possession, as soon as it was manifeste that she could make that sacrifice withou danger. If (concluded the noble lord the country has for 20 years sustained th most severe burdens, and sustained them with a noble fortitude, it is at least grati fying to her to find, that she has come ou of the tremendous contest in which she ha been engaged with the accomplishment o that security for which she contended and with a reputation unstained by re proach. She bravely stood by the power of Europe in circumstances of unprece dented peril; feeling that it was her duty to enter the list in defence of all thos moral and political principles which wer endangered—abstaining from too cautiou and minute a calculation of the chances o the conflict, and leaving the result to Pro vidence, we have at length, Sir, close the war, as conquerors, certainly—but en joying the benedictions, not only of thos with whom we fought, but ultimately o those against whom we fought. There i no feeling more powerful in Paris at this moment than veneration for the English character. Sir, I trust that the course which we have pursued through the whole of this eventful crisis, will prove permanently beneficial to the world. I trust that the emergency which placed the French family, and so large a portion of French subjects, in England, will in its consequences soften the asperity which has too long subsisted between the two countries, and which has been the pregnant source of rivalry and war. I trust that feelings of mutual kindness have been implanted in the breasts even of the lower orders of the people in the two nations, and that they may long retain the relations of peace and friendship. If no other blessing had been derived from all that has happened, it would be no unsatisfactory one to feel that the spell is dissolved by which Great Britain and France were supposed to be necessarily enemies. It is the interest of both countries to foster the amicable dispositions which have arisen. For the inclination of the British government to do so, I can safely be responsible. Nor can I hesitate for a moment to believe, that such will be the desire manifested by the government of France. Sir, we received the family of the Bourbons in this country in the manner in which I hope we shall always receive the unfortunate and the virtuous. I believe that that family entertains towards us in return the utmost cordiality of sentiment. We acted fairly and candidly by them. We told them, that although we wished them success, we could not prematurely mix their cause with ours. When the French people returned to their allegiance to that family, we were among the first to recognise their title, and to congratulate them on their restoratian to the throne of their ancestors. Sir, I am sure that the House must feel, that the situation in which this country is placed by all these glorious events does us immortal honour. We have no small reason to be grateful to the illustrious person at the head of the government, for having taken charge of the vessel of the state at a moment of the utmost peril and alarm. By the earnestness with which that illustrious person has discharged his public duty—by the vigour with which he supported the cause of our allies—by the unrelaxing system of policy which he maintained in all our various relations, he has had the supreme satisfaction of restoring peace, not only to this country but to Europe. Sir, his Royal Highness has another most valuable and most lasting gratification—that—although that venerable individual is unfortunately incapable of participating in the joy of the times—he has thus fulfilled the wish which was nearest the heart of his sovereign and father, while his Majesty sat on the throne.

Mr. *W. Smith* could not refrain from warmly expressing his thanks to the noble lord for his luminous exposition of those principles which could lead only to a just and successful issue. The noble lord, like that gallant commander whose achievements had so frequently been the theme of the applause of that House, appeared to rise with the difficulties which he had to encounter. He thanked the noble lord for having so fully justified the confidence which he (Mr. S.) and those of his friends, with whom he was in the habit of political concurrence, had expressed their willingness to repose in him; and when he considered the great ability displayed by the noble lord in the late negociations, and contemplated the probability that he would assist in those which were approaching, he entertained a rising hope, and an increased confidence, that even that unfortunate subject which was the only cause of the least difference of opinion with respect to the Treaty, might be happily terminated. It was his perfect conviction, that if, at the commencement of the long war in which we had been engaged, affairs had been conducted in the spirit manifested by the noble lord, the contest would many years since have been brought to a happy termination; and the country would have happily saved a hundred millions of debt and the loss of thousands of lives.

The Address, as amended, was then agreed to; and at two in the morning the House adjourned.

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## HOUSE OF LORDS.

*Thursday, June 30.*

SLAVE TRADE.] The Marquis of *Lansdowne* rose, pursuant to notice, to move an Address to the Prince Regent, on the subject of the Slave Trade. In this Address he hoped for the unanimous concurrence of their lordships, as it was only following up their own address on this subject, presented on a former occasion. Their lordships, he trusted, would always be ready to follow up so laudable an endeavour as that of procuring the utter abolition of this detestable traffic, seconded as they were by the unanimous voice of the country, echoed from one end of the island to the other, to the immortal honour of the nation. He was one of those who thought, that some information ought to have been produced, and some opinion to have been given, on the omission to secure this great object: and he should not have sat silent when that subject was under consideration, had not his sentiments been so much better expressed by his noble friend near him. He should have been better satisfied that the sense of their lordships had been recorded, as to the imperfect state in which any negociation must remain which permitted the continuation of this traffic. This he should have wished to have been done, though he concurred in the approbation bestowed on the Treaty in other respects; but he was unwilling to disturb the unanimity which then prevailed. Every one, however, must feel how necessary it was, that their lordships should follow up their previous address; how impossible it was that they should quit the subject without expressing their regret at the failure which had already taken place, and their anxious desire as to what might be done in future.—He had now, therefore, prepared an address, to which he trusted none of their lordships could refuse their concurrence. It first expressed the deep regret of their lordships, that the endeavours of his Royal Highness to procure a complete and universal abolition of the Slave Trade had failed of success. Something, however, might still possibly be done; and new proposals might be made to France on the subject of the Slave Trade, for the purpose of making new arrangements. This country had certainly the means of carrying such arrangements into effect. It was not his intention to propose to their lordships, to state particularly the nature of that variety of grounds upon which a reciprocal arrangement might be formed. If the immediate and complete abolition could not be procured, there might still be means of saving the continent of Africa from the full extent of that dreadful visitation which must result from the revival of this traffic—a traffic, which if persevered in, must destroy the very germ of civilization on that unhappy continent. If their lordships would cast their eye over the map of Africa, they must see how great an opportunity for extensive influence over a vast portion of that continent was afforded by the command of the rivers Senegal and Gambia, especially the former. The French would have the command of the Senegal and very nearly of the Gambia. They would even have the possession of an island not above ten miles from the colony of Sierra Leone, cultivated by a free population, where the benefits of legitimate trade had already begun to be felt, and from which the best hopes remained of extending the blessings of civilization over the African continent. This island could be of no use to the French except to be occupied as a slave station. These cessions, comprising 1,500 miles of coast, must, if the Slave Trade were continued, form a principle of destruction of which the effects would be pernicious beyond description. He need not inform their lordships of the importance of certain geographical points in extending advantages, or spreading destruction over a country; and the great effects which might be produced by the possession of such an extensive line of coast, not for the purposes of monopoly of trade, but for the purpose of preventing the revival of the Slave Trade in those quarters. He was desirous, then, of pointing their lordships' attention to this subject, because, whether the Trade were to be continued for five years, or protracted to a more distant period, it was of the highest importance, even to the interests of our merchants, that some new arrangement should be made with France. Beyond that, the resolution stated the importance of giving all the weight to the councils of the Prince Regent, which the universal opinion of the whole body of the nation could give at the approaching Congress. This was done in the hopes that they might be enabled to procure there a declaration that this destructive traffic was contrary to the law of nations, and therefore to be abolished over the whole civilized world, that this principle of destruction might at length be extinguished. He concluded by moving an address expressive of the deep regret felt by their lordships, that the exertions of his royal highness the Prince Regent, for the abolition of the Slave Traffic, had not been attended with more complete success, and also expressing the earnest hope of their lordships, that his Royal Highness might be able to form new arrangements with France for the purpose of bringing about this desirable result. At the same time entreating, that his Royal Highness would use his utmost endeavours at the approaching Congress to procure a declaration, that this traffic was contrary to the law of nations, and one which ought to be abolished over the whole of the civilized world.

The Earl of *Selkirk* seconded the motion. Whatever might be their difference of opinion as to other points, all must agree, that in this respect all had not been gained which their lordships and the country might have reasonably expected. The only doubt must be as to the practicability of the object which it was the design of the Address to secure. He was happy, however, that the noble marquis thought that the arrangement which had taken place was susceptible of some modification. He was willing to hope that much might as yet be done; and it was certainly highly desirable, that, to give greater weight to the endeavours of the Prince Regent's advisers, the opinion of their lordships and the public should be strongly expressed.

The Earl of *Liverpool* said, that he intended to confine himself to a very few observations, as he completely concurred in the motion. But while regret was expressed at more not having been done, he thought it was proper that satisfaction should be expressed at what had been done, as far as Sweden and the united provinces of Holland were concerned. This was a point of the greatest importance, especially with respect to the abolition by Holland, which power might have carried on the Trade to as great or a greater extent than France. Apprehensions had been expressed of its being carried on by British capital under the flags of those nations by which it might not have been abolished. This might have been done with much greater facility under the Dutch flag than under any other. He proposed, therefore, to introduce into the Address, words expressive of their satisfaction at the abolition by Sweden and Holland, especially by the latter, preceding the expression of their regret at the failure with regard to France.

The Marquis of *Landsdowne* had no objection whatever to this amendment.

Lord *Grenville* not only had no objection to the amendment, but was happy in having an opportunity of applauding the conduct of government so far, and the wise, enlightened, liberal, and humane policy, which, in this respect, actuated the governments of Sweden and Holland, especially of the latter. No one could better appreciate the firmness, spirit, and humanity displayed by the person at the head of that government, than he could, knowing, as he did, the sentiments which prevailed throughout Holland on this subject. This was a most auspicious commencement of his government, and afforded the surest pledge, that he would not be swayed by popular favour, nor by popular censure, at the expence of justice, humanity, and religion. He agreed that Holland might undoubtedly have carried on the traffic to the full extent to which the noble earl had alluded, considering her large and numerous colonial establishments which had come into our possession under far different circumstances, and which were no doubt now to be restored. The Prince of Orange had the merit and the satisfaction of preventing, as far as in him lay, the revival of that horrid traffic, which had so long spread the most frightful carnage and devastation over the continent of Africa. No man could be more ready than he was to declare, that the Prince of Orange deserved the highest applause and admiration of every feeling mind. He should be sorry to destroy the unanimity which was so desirable on an occasion of this kind, when the object was, if possible, to regain the ground which had been lost: yet to any form of address which might import a desire merely for a qualified attainment of the object, or which should imply any sanction of the postponement of the period of the abolition, he could never have agreed. In this Address, however, pointing to a renewal of the discussions with France on the subject, he most heartily and entirely concurred. He agreed with his noble friend that Great Britain had the means of making a new reciprocal arrangement which might be satisfactory to all parties; and, better were it to give up all our acquisitions, than consent to the revival of this inhuman and horrible traffic. A doubt existed as to the question, whether any of our settlements could be surrendered without the consent of parliament; and, if there was any doubt on that head, the least that could be done by their lordships was to express their earnest opinion and desire in this manner. He hoped the result would be that which they all so earnestly wished—the complete and everlasting extinction of this detestable traffic from among civilised nations.

The Address was then agreed to *nem. diss.*

## HOUSE OF COMMONS.

*Thursday, June 30.*

Westminster Elections.—Report on the Petition of the High Bailiff of Westminster.] Mr. *Lockhart* presented the following Report from the Committee on the Petition of the High Bailiff of Westminster.

> The Committee to whom the Petition of Arthur Morris, bailiff of the liberty of the dean and chapter of Westminster, was referred, to report the same, as it should appear to them, to the House, together with their observations thereupon; and also, the Minutes of the Evidence taken before them;—and to whom the Report which, upon the 11th day of June, 1811, was made from the Committee appointed to enquire into and examine the nature of the office of High Bailiff of Westminster, and the Duties and Burthens incident thereto, was also referred;—

Have, pursuant to the order of the House' examined the matters to them referred; and have agreed to the following Report:

That, in pursuance of the recommendation contained in the Report which has been referred to your Committee, an Act was passed in the 51st year of the reign of his present Majesty, intituled, "An Act to extend an Act made in the 18th year of his late majesty king George the second, to explain and amend the laws touching the elections of knights of the shire to serve in parliament for England, respecting the expences of hustings and poll clerks, so far as regards the city of Westminster;" whereby, after reciting that there is no convenient public building within the said city wherein to hold the election, and to take a poll in writing of the electors, in the event of the same being legally demanded; and that, by reason of the populousness of the said city, the taking of a poll in writing is attended with considerable expence, from the number of clerks necessarily employed therein; and that controversies had of late arisen as to the payment of the expences attending the building of a convenient booth or hustings, heretofore usually erected for the holding of such election, and of the expences attending the clerks employed in the taking of a poll when demanded; it was enacted, "That at all times, from and after the passing of the said Act, upon every election of a citizen or citizens to serve for the said city of Westminster in parliament, the bailiff, or in his absence his sufficient deputy, should appoint, make, or erect, or cause to be appointed, made, or erected, at the expence of the candidate or candidates, a convenient booth or place for holding the election; and the said bailiff or deputy should, in case of a poll being demanded by any of the candidates, or any two or more of the electors, appoint a convenient number of clerks, not exceeding in the whole the number of 26, to take the poll (which said clerks should be at the expence of the candidates as aforesaid, and be paid not exceeding one guinea per day for each clerk:) And it was further enacted, That in case any such bailiff, or his deputy as aforesaid, should wilfully offend against or act contrary to the true intent and meaning of the said Act, such bailiff or deputy should be liable to be prosecuted by information or indictment in his Majesty's Court of King's-bench at Westminster, in which no *noli prosequi* or *cesset processus* should be granted; any law, custom, or usage, to the contrary in any wise notwithstanding: and it was lastly enacted, That the said Act should continue and be in force from the passing thereof until the 1st day of August, 1813."

That by a subsequent Act passed in the 53d year of his present Majesty, the said Act was continued until the 1st day of January, 1819.

It appeared to your Committee, from the evidence of Mr. Tooke, the deputy high bailiff of Westminster, that the costs and extra costs in the actions mentioned in the Report of June, 1811, amounting to about 300*l.* are due to him in his professional character as attorney to Mr. Morris. —That since the passing of the Act of the 51st Geo. 3rd. an action was brought in October, 1812, by the high bailiff, by the advice of an eminent counsel (Mr. Richard-son) against lord Cochrane, pursuant to that Act, for his share of the expences of the hustings at the last general election, and he suffered judgment by default, and a verdict was then obtained for 225*l.* and costs, which have since been paid; and in that action the extra expences came to 20*l.*—That in that election, the whole of the high bailiff's expences amounted to 550*l.*; but the jury, under the direction of the sheriff, assessed lord Cochrane's proportion at 225*l.*, being the expence of hustings only, exclusive of poll clerks retained, and other expences incurred by the high bailiff.—That if a poll had taken place, he could not have been ready to have complied with the Act, unless he had had a sufficient number of poll clerks retained before hand, and paid on such retainer; as it is the invariable custom in elections for Westminster, to proceed to the poll after an adjournment of two hours only.—That he consulted Mr. Richardson, and took his opinion, whether an action could be maintained against one of the candidates severally; and laid a case before him, in which he inserted the following statement:—"Mr. Brooks, junior, informed Mr. Tooke, that it was the intention of the committee of the electors of Westminster to nominate sir Francis Burdett, but that they had not yet determined who the other candidate should be. Mr. Tooke accordingly, on the next day, went to Mr. Brooks's, where he was introduced to the committee, to whom, at their request, he gave the information they required, as to the time appointed and probable expences, &c. which was minuted down by them in writing; and he was then informed, that lord Cochrane having, by letter, explained his political sentiments to their satisfaction, he would be put in nomination jointly with sir Francis Burdett." And again, "No Act can be proved to have been done by sir Francis Burdett, for securing his election; indeed he put an advertisement in the papers disclaiming any intention of accepting a seat in parliament; the only circumstance to be relied on, therefore, is his having taken his seat, and thereby sanctioned the nomination of him by his friends, and thus acquired the name and character of a candidate within the meaning of the Act, as held by his lordship in the action between the same parties, tried at the sitting after Hilary Term, 1808, and reported in 1 Campbell."

Upon which statement, Mr. Richardson's opinion was as follows:

"I think that the bailiff is entitled, under the late Act, to recover the necessary expences of the hustings, as being a convenient booth or place for holding the election, which he by the Act is required to appoint, make, or erect, at the expence of the candidates. But I do not think that he is entitled to recover the expence of the poll clerks, because no poll was demanded, nor any of the other expences. It may be a question, whether the action ought to be joint against the two candidates, or against each for his proportion. I should be inclined to bring a separate action against one, in which if he should not plead in abatement, the whole may be recovered if the liability is joint; and if it should be held, that a moiety only can be recovered, that will be an authority for bringing another action for recovery of the other moiety.—As to the evidence, the writ, precept, and return, should be admitted or proved: that the plaintiff acted as high bailiff; that the hustings were erected in the usual way, and were paid for by the plaintiff; that the defendant took his seat for Westminster."

John Richardson."

"Middle Temple, 15 Jan. 1813.

After the verdict in the sheriff's court against lord Cochrane, the under-sheriff saved the point of law as to the joint liability of the candidates to the whole of the demand, and on that point so reserved, Mr. Tooke applied to the court, and the result appears, by Mr. Richardson's letter to have been, "That the court held that, as there was no joint interest in the two candidates, nor any joint employment by them of the high bailiff, the liability created by the Act was several."

That after the action against lord Cochrane was brought, on the ground of the opinion given in that case, an action was commenced against sir Francis Burdett, for his moiety; and before such action commenced, Mr. Tooke's attention was called to the liability of a person who was an involuntary candidate, as appears by the passage already quoted from the case stated. That he consulted with Mr. Richardson repeatedly, and was governed by his advice throughout the whole course of the proceeding.

On the trial of the issue against sir Francis Burdett, no other evidence of his having the character of a candidate being adduced, than the circumstance of his having taken his seat, lord Ellenborough directed a nonsuit, subject to a point reserved. In the ensuing term, after a consultation with the Attorney General, Mr. Park, and Mr. Richardson, a rule *nisi* to set aside the nonsuit was granted, which, after solemn argument, was discharged; the whole court agreeing with the Lord Chief Justice. That the defendant's costs of the nonsuit were taxed at 30*l.*, which were paid by Mr. Tooke to the defendant's attorney. The plaintiff's costs of that action, on a very reduced scale, amounted to the sum of 150*l.* or thereabouts; and the proportion unpaid of that election was 325*l.*, being 225*l.* expence incident to hustings only, and 100*l.*, poll clerks and incidental expences.

Your Committee further find, from the examination of Mr. George Giles Vincent, chapter clerk to the dean and chapter of Westminster, that he had examined the archives of the church of Westminster, and seen a paper which mentions the circumstance of the elections of the representatives of the city of Westminster being held in Tothill-fields, and when contested, the meeting was adjourned to the porch of Covent-garden church; that as well as he can recollect, it is mentioned only in allusion to what had been the case, not that it was so practised at that time of day; and the paper was of the time of the usurpation.

Your Committee further find, that at the contested election of Trentham and Vandeput, and which was the most remarkable for its duration, there were hustings erected at that time, and the candidates or their friends paid the expences of them; and that Mr. Wishart, a gentleman aged about 64, and whose father and himself had always resided in Westminster, and interested themselves in its elections, knew that the candidates or their friends, nearly down to the present time, had paid such expences; and that he himself paid all the expences, including the hustings fee, to the high bailiff, and a bond to the parish of Saint Paul Covent-garden, at the late Mr. Fox's last election; and that it was customary to give a bond to the church-wardens and overseers of that parish, for any damage that might be done to the church by the ereetion of the hustings. That he had himself witnessed five or six contested elections, and was convinced that the hustings were absolutely necessary for carrying on the election, and for a due scrutiny of votes, which could not otherwise be carried on with safety to the voters themselves. That if the high bailiff had taken upon himself to neglect erecting hustings, there could have been no contested election carried on; the whole would have been a scene of total confusion, a great deal of mischief must have been done, many lives lost, the peace of Westminster would have been endangered, and aged and infirm persons could not have got up to the poll.

Your Committee, with a view of ascertaining whether any duty at common law was imposed on returning officers, to erect convenient buildings for taking the poll at elections when necessary, and to employ a competent number of poll clerks, where the right of election might be vested in a numerous body of voters, have referred to such law authorities as might be found in the books on this subject, and they have also looked into the statute law, with a view of discovering, if any declaratory enactments existed with regard to the duties of returning officers, whether for counties, cities, or boroughs; and they find, that the uniform course of authority, opinion, and of the statute law also, excludes the idea of any duty at common law resting either on sheriffs or other returning officers, to take upon themselves the burthen of such heavy expences as might be incurred in providing for such, though perhaps necessary, arrangements, except so far as it may have been their duty to appoint a competent number of poll clerks for county elections. In the case of Morris *v.* sir Francis Burdett, the lord chief justice Ellenborough held, that the Act of the 18th of George 2, c. 18, not extending to cities or boroughs, the returning officer for the city of Westminster might have taken the poll either in the Guildhall of Westminster, or in the open air; and even under the statute of the 18th Geo. 2, c. 18, Mr. Serjeant Heywood, a writer of considerable authority on the law of elections, is of opinion, "That if none of the candidates require any booths or places for taking the poll, to be erected three days at least before the commencement of the poll, as directed by the 18th Geo. 2, c. 18; or if no candidates are declared previous to the election, but a contest comes upon the sheriff by surprise, when the freeholders are not to make their choice, the sheriff is not empowered to erect any booths or polling places at the expence of the candidates, but must take the poll in some open or public place, and pursue the regulations of the 7th and 8th Will. 3, c. 25, exactly as if the 28th Geo. 2. had never passed; except that, by the ninth section, he must allow a check-book for every poll-book, as where booths have been regularly erected." By the 7th and 8th of king William the 3d, the elections in counties are to be holden at some convenient place, and the sheriff is commanded to appoint a competent number of poll clerks. By the 10th of queen Anne, the sheriff of Yorkshire is directed to appoint seven tables for taking the poll; and by the 18th of Geo. 2, before recited, booths are to be erected and poll clerks appointed, at the expence of the candidates.

Your Committee, on referring to the Petition of the high bailiff, and to the Report made by the former committee, think it their duty to point out, that the prayer of such petition refers to losses sustained by the high bailiff, at distinct periods and under different circumstances. The first head of losses, amounting in the whole to the sum of 1,569*l.* 10*s.* 2*d.* being the sum of 1,269*l.* 10*s.* 2*d.* specifically stated in such report, together with 300*l.*, or thereabouts, being the costs and expences alluded to therein, of the high bailiff in endeavouring to substantiate his supposed claim at law, and which loss of 1,569*l.* 10*s.* 2*d.* was incurred by him at a time when no law existed, compelling him to erect hustings, or to employ as it seems above one poll clerk; and when no right was vested in him to recover any part of the expences of such arrangements against any of the candidates or other persons, except such right as might result from any special promise made for such purpose. The second head of loss, amounting to 525*l.* was incurred after the Act, of the 51st of his present Majesty, had cast the indispensable obligation of erecting hustings, and employing poll clerks on the high bailiff, and had enforced that obligation, by punishing the failure of its discharge as a misdemeanour. With regard to this latter head of loss, your Committee observing, that as it was the clear object of the last-recited Act, not only to provide suitable conveniencies for taking the poll at Westminster, with order, regularity, safety, and justice, but also to indemnify the high bailiff against any expences which might result from his complying with these regulations; and as the Act was deficient, inasmuch as it did not provide for the case of an involuntary candidate, or for the indemnification of the high bailiff from any other source; and as the public have derived the whole benefit intended to be effected by these enactments, but at the cost and charges of the high bailiff; he has, on these grounds, made out a good title to the favourable consideration of parliament, of this part of the prayer of his petition, to the extent of the whole of the loss set forth in such part of it. And with regard to the first head of loss, amounting to the sum of 1,569*l.* 10*s.* 2*d.* your Committee observe, that though it does not stand precisely on the same ground for consideration and indemnification, it does nevertheless present itself to their view, in a light which appears to them so strong, as to justify their recommendation of it to the attention of parliament. It was at no time (as is clearly shewn) the duty of the high bailiff to erect any hustings whatsoever, nor is it certain that he was ever bound to employ more than one poll clerk; he might have taken the poll in the Guildhall of Westminster, or in any open place, or in the fields: he might have refused to have acted upon any special promise whatever, for indemnification for the expences of any hustings, or the employment of 26 poll clerks, which your Committee learn have lately been necessary to be retained. But, had he so proceeded to take the poll, it is manifest, that all the consequences described in Mr. Wishart's evidence, must have followed; riot, confusion, and disorder, and a total want of justice to all parties. The aged and infirm would have been excluded from exercising their rights; and if any proceedings in the form of a poll, could have been carried on, the effective rights of election would have been exercised by the most violent and the least opulent. And at conclusion of such a proceeding, no return could have been made which could have satisfied the due execution of the laws, or any of the candidates of electors; excepting those who might have contrived to have availed themselves of a scene of confusion, riot and injustice. That the maintaining good order and uniformity of proceeding within the city of Westminster at elections, is of great consequence to the whole kingdom; is not only obvious in itself, but is expressly declared in the Act of the 51st of his present Majesty. The high bailiff has then preserved that good order, previous to the passing of the Act, but at his expence, and to the injury of his private fortune. He has done that at all times heretofore, which this last-mentioned Act has declared necessary to be done hereafter; but he has not been remunerated for it, as the same Act has declared that he ought to be. And the public, interested in the regularity of these proceedings, have derived all the benefit from his past arrangements, but at his expence and loss, which this Act contemplated would be secured to it, by rendering the continuation of the same precautions imperative on him for the future. Under these circumstances, your Committee, having distinctly noticed the two separate grounds on which these two distinct claims stand, do not hesitate to recommend this head of loss also to the favourable consideration of parliament. At the same time observing, that from the whole of the evidence it does appear, that the probability of such heavy losses never entered into the contemplation of either the predecessor of the high bailiff, or of the high bailiff himself at the time he purchased his situation: or that the fees and emoluments of the office were either adequate to or intended to cover them. Your Committee further notice, that both heads of loss include the costs of actions brought against candidates to recover a compensation for the above expence. But they also observe, that if the high bailiff had not taken every means in his power to procure reimbursement from the candidates, according to the provisions of the last-recited Act, it would have been most justly objected to him, that he could have no title whatever to public indemnification, if he had not first attempted all those modes of private reimbursement, which either custom seemed to warrant, or a positive statute to direct to be adopted.

Corn Laws.] Mr. *Milne* said, he was instructed by the corn Committee to state to the House, that the Committee had met from day to day to collect evidence on the important subject referred to their enquiry, that a considerable number of witnesses, summoned by the Committee, had been examined; but that hitherto no person had offered himself to give evidence in support of any of the allegations contained in the numerous petitions referred to the Committee; that the Committee was desirous to obtain every possible information on the subject, and to give every facility to the petitioners to be heard before them, and that it was therefore the wish of the Committee, that gentlemen who had presented petitions on this subject, either from their own immediate constituents, or from any other body of the community, should apprize the parties that the Committee was ready to hear them, and any witnesses to be produced on their behalf, in support of their respective petitions.

The *Speaker* said, as the hon. gentleman, he supposed, did not intend to make any motion on the subject, the only course of proceeding was, to inform the Committee, that they were now at liberty to make their Report forthwith.

The Duke of Wellington.] Lord *Castlereagh* reported at the bar, from the committee appointed to wait on his grace the duke of Wellington, to know what time he would appoint, at which, to receive the congratulations of the House; that his grace had expressed his gratitude for the honour which it was intended to confer upon him, and had signified that he was desirous of expressing to the House his answer in person.—(Hear, hear!)

Lord Castlereagh suggested, that a quarter before five to-morrow, would be the best time, and the Speaker intimated that the honourable members would take that as a notice.

Bank Restriction Act.] Lord *A.* *Hamilton*, with a view to save the time of the House, asked the right hon. gentleman opposite, whether he had it in contemplation to bring forward any motion relative to the restrictions upon the payment of specie at the Bank of England? The right hon. gentleman's answer would determine him what course to pursue with respect to the motion of which he had given notice.

The *Chancellor of the Exchequer* replied, that it was his intention to move to-morrow, for the continuation of the restrictions on the Bank, until the 25th of March, with a view of seeing what operation peace and other circumstances might have on the money market. Parliament would at that period take what course it thought proper. For his part, he would abstain from giving any opinion at present, as to the probability or improbability of the necessity of any further restriction, at the time to which he had alluded.—He subsequently gave notice, that he would to-morrow move, that the House should resolve itself into a committee on the Bank Restriction Act.

Preparations in the Parks.] Mr. *Wynn* said, that, notwithstanding the explanation given by the right hon. the Chancellor of the Exchequer, on the preceding evening, it appeared that the intention of exhibiting a sea-fight on the Serpentine-river was not abandoned. The whole *squadron*, amounting to three two-deckers, and several frigates, remained at their moorings—and, he understood, that a launch had taken place that morning. (A laugh)—If the peace establishment of the Parks was to be kept up so high, he thought it was necessary to lay some information, on the subject, before the House. It did not appear to him that the scale of preparation in the Parks was at all contracted. He was happy, however, to perceive, that the activity, formerly observable, was a little abated. The persons employed did not now, as heretofore, work on Sundays, during the performance of Divine service. But still, new towers, and new alcoves, continued, on other days, to be hourly erected. He should be glad to know under whose directions these preparations were making, and what would be the probable expence. He was of opinion, that, while the allied sovereigns remained in town, their reception should, in every respect, be grand and splendid; but now they had departed, he could see no use in prosecuting those works. If the amusements were planned by the Lord Chamberlain, he certainly thought his taste must be very bad, to think of exhibiting a sea-fight on the Serpentine river, and a regatta on the Canal.—(A laugh.)

The *Chancellor of the Exchequer* hoped, the hon. gentleman was not chagrined, because the Lord Chamberlain had superintended the preparations for the sea-fight, instead of the first lord of the Admiralty. With respect to the question put by the hon. gentleman, he believed the expence of the buildings would be 10,000*l.* A general direction had originally been given, by the Treasury, to construct them, in consequence of the arrival of the allied sovereigns. At the time of their departure, several of those temporary buildings, some of them for fireworks, had been erected; and, as all the materials were prepared, it was thought advisable to proceed with them, as the expence would be very little additional.

Mr. *Tierney* said, they had been told by the right hon. gentleman that the buildings were erected for the purpose of entertaining the allied sovereigns. Now, he should be glad to know, as those illustrious characters were gone, and were not likely to return, why the buildings were still carried on? The right hon. gentleman said, that, as the frame work was prepared, it would not cost much to put it together. Certainly it would cost no more than the expence of putting it up and afterwards taking it asunder. He wished to be informed, what the great buildings in Carlton-gardens were intended for?

The *Chancellor of the Exchequer* answered, that the buildings alluded to by the right hon. gentleman having been forwarded in a considerable degree, before the allied sovereigns left town, it was not deemed expedient to abandon them. Because, it was presumed, though they were not necessary, with respect to these great personages, yet they might be useful, if an entertainment were given to any other illustrious characters.

Mr. *Tierney* observed, that the right hon. gentleman's explanation amounted merely to this, that, because it was intended to give an entertainment to the allied sovereigns, who had left town, it was considered necessary to give a treat to somebody else.

Colonel Sir *W. Congreve* said, when he was first called upon to give directions for the making of fireworks, he had adopted such a plan as was most likely to prevent accidents. For this purpose, the houses from which the fireworks were to be displayed, looked to three different parts of the Park, by which the pressure of those who came to view them would be divided, and the danger would be lessened. The subject of these fireworks had already afforded much amusement to the House, and, he hoped, when they were exhibited, they would afford much more. In a conversation he had with his right hon. friend (Mr. Tierney), in the Park, he had stated, that 15,000*l.* would cover the whole expence. His right hon. friend had therefore misunderstood him, when he said it would take that sum to furnish the fireworks alone. He believed the fireworks would cost about 4,000*l.* It had been proposed, to raise a sum of money, by admitting individuals to see the fireworks, which sum might be appropriated to some great public charity, to be expended in a manner commemorative of recent events; and it had also been proposed to admit the better class of inhabitants of the metropolis, whose peaceful demeanour was conspicuous on all occasions, to view them, gratis, inside of the Park railings; but nothing had yet been determined on. With respect to what had been said of the folly of the design, if most of our amusements were considered abstractedly, that quality would be found to form a component part of them. He hoped however, that the hon. gentlemen opposite might be induced, on this occasion, to relax a little from the severity of their wisdom, and not to visit a little harmless amusement with very heavy censure.

Mr. *Wynn* said, on a great and pressing occasion, he would not oppose necessary works being forwarded on the Sunday; but where the object was a matter of mere public amusement, he conceived it to be a gross infraction of decorum and decency to employ men in active labour on that day. In forwarding the preparations in the Park, the people employed were obliged to work on Whit-Sunday, and were exposed to the observation of all orders of persons, going to and coming from, their respective places of worship. He should say no more on the subject, but merely express his hope, that such a proceeding would never be resorted to again.

PETITION OF MARY ANNE CLARKE AGAINST THE MARSHAL OF THE KING'S BENCH.] Mr. *Bennet* presented a Petition, which had been put into his hands, but for the truth of the allegations of which he considered himself by no means responsible. It was from Mrs. M. A. Clarke, confined in the King's-bench prison, complaining of oppression on the part of the keeper of the said prison.

The Petition was read by the clerk. It stated, that Mrs. Clarke had been confined in the prison of the King's-bench, on the 7th of February last; having been convicted of a libel on the right hon. W. Fitzgerald; that she had suffered great partiality and oppression from William Jones the Marshal, to whose ill treatment she attributed her present ill state of health. She was confined in a cell nine feet square, of which her bed occupied a considerable part, and which had but one small window, barricadoed with iron. The approaches to her room were so obstructed that even her medical attendants found it difficult of access. Underneath was a place to which the crier, and other subordinate officers of the prison, resorted, and from which she was annoyed with the fumes of tobacco, lamp-oil, and other effluviæ equally nausious and disagreeable. At ten o'clock, contrary to the ordinary regulations of the prison, her cell was locked, and no one, not even a physician, was permitted to visit her. Her illness had brought on a nervous fever, by which she was so enfeebled as to be hardly able to walk; but although requiring air and exercise, she could not obtain the usual indulgence in these cases—an indulgence which had been granted to Mr. Alexander Davison, Mr. Manners, Mr. Draper, Mr. Bell, and a number of others, under circumstances similar to her own, but who had been permitted to reside without the walls of the prison. She would not have delayed her appeal to the House so long, had she not observed that a measure was in progress in parliament, from which she had in vain expected relief. She prayed that the House would take her singular case into consideration, and direct an enquiry into the cause of her having been so treated.

On the motion that the Petition be laid on the table,

Mr. *Fitzgerald* said:—Perhaps, Sir, I am not called upon to say any thing on the subject of the Petition which the hon. member has just brought up. I am sure that I should not be justified in saying much. But I have been referred to, though not by name, yet obviously in that statement which is about to be laid upon your table, and I feel that I owe it both to myself and to the House, not to remain silent. To those who know me, I trust, that I need not disclaim any vindictive feeling. Sir, when the application which is alluded to was made to me, I felt, as I believe every gentlemen even under the circumstances would feel, for a female suffering confinement under the sentence of a court; but having taken these proceedings which I had adopted from a sense of what was due to my own character, as well as to the laws, I felt also that it would ill become me to interfere, even if I were competent to do so. I felt that such a course would hardly accord with the respect which is due to the administration of public justice.—The marshal of the prison appeared to me to be the person with whom it was to rest, whether to grant or to refuse the indulgence prayed for. But I did desire it to be communicated, both to that officer and to the petitioner, that I was the last man in the world who would interpose to prevent any indulgence being extended to her which her situation admitted of, or which he might deem it consistent either with his duty or the practice of the prison to grant. Sir, I need say no more; I hope the House will forgive me for having said so much.

The Petition was then laid on the table, and Mr. Bennet gave notice, that he would to-morrow move that it be referred to a committee.

NEW POST OFFICE.] Mr. *Baring* said, the House would be surprised to find, that by a private Bill they were pledged to give the sum of 200,000*l.* of the public money, for the erection of a new Post Office, on the city of London taking down certain buildings adjoining to Cheapside. In the committee up stairs on this private Bill, there were few but the city members who attended. If this subject was enquired into, the House would find, that the removal of the Post Office was contrary to the wishes of all the merchants of the city. A right hon. gentleman, not now in his place, had stated last night, that they were precluded from extending the Post Office in its present situation, from difficulties regarding the tenures of the property. Now he had counted up in this private Bill no fewer than 500 persons who had had their possessions taken away from them. Yet an objection was made as to enlarging the present Post Office, which would not take away the possessions of above half a dozen people.

The *Chancellor of the Exchequer* wished, before the hon. gentleman proceeded farther, to know what his object was at present?

Mr. *Baring* said, he wished to move that the drawings and plans of the intended Post Office, and the estimates of the expences of building, be laid before the House.

The *Speaker* assured the hon. gentleman, that no committee above stairs could pledge the House to any grant of money. If they agreed to any such proposition, the report must be submitted to a committee of the whole House.

After a desultory conversation between the Chancellor of the Exchequer, Mr. Baring, alderman Atkins, alderman Combe, and Mr. Home Sumner, Mr. Baring postponed his motion till next week.

SPIRITS' INTERCOURSE BILL.] The *Chancellor of the Exchequer* moved, that the House should resolve itself into a committee on this Bill, and suggested that it would be more convenient that counsel should be heard in the committee. He also moved, that it should be an instruction to the committee, to consider what countervailing duties should be laid on Irish spirits imported into this country.

Mr. *J. P. Grant*, before the Speaker left the chair, was anxious to know, whether the counsel employed by the petitioners against the Bill, would be allowed to deliver their observations, as they respected the principle of the Bill.

The *Chancellor of the Exchequer* said, the counsel were at liberty to state their objections to every part of the Bill, but they must admit the necessity of some such measure.

Mr. *Western* said, as the Bill was now drawn up, a greater injustice was inflicted on the British manufacturer, than existed under its provisions originally. This Bill was intended to suspend the countervailing duties. Now, the spirit distilled by the British manufacturer, had paid a duty of 10*s.* 4*d.* a gallon, and must therefore be sent to the Irish market under this disadvantage. On the other hand, the Irish spirit, which, on being entered or warehoused for exportation, paid no duty whatever, might, in the absence of the British countervailing duty, be introduced here completely unburdened.

The *Chancellor of the Exchequer* said, if the hon. gentleman supposed, that Irish spirits would be admitted into this country without a countervailing duty, he was completely mistaken.

The House then resolved itself into the Committee, and counsel were called in. Mr. Adam and Mr. Scarlett were heard at the bar, on the part of the Scotch and English distillers, who petitioned against the Bill.

The *Chancellor of the Exchequer* remarked, that great weight was due to the arguments of counsel so eminent in their profession, and, indeed, they had been in some measure anticipated by the government, whose intention it was to put all the three parts of the empire on the same footing. He should move a clause, which might be printed and discussed on some future day, that Scotch and British spirits might be manufactured for exportation duty-free, and that a drawback should be allowed on the stock now in hand. He was most anxious that essential justice should be done to all parties; this was the way to fulfil both the letter and the spirit of that immortal Act of the Union, which had consolidated the empire into one mass with the same interests.

Mr. *Ponsonby* said, that nothing could be fairer than the proposition and the principles of the right hon. gentleman. He might himself be supposed to feel some partiality for one part of the United Kingdom, but he would never consent that advantages should be allowed to Ireland which were not equally extended to Scotland and England.

Mr. *W. Smith* was glad to hear these

sentiments from his right hon. friend, and hoped that all the members from Ireland would act upon the same principle. For his own part, he desired nothing but what was equal and impartial for England. He then proceeded to point out an advantage which the Irish distiller had over the English one: which was, that the Irish distiller was compelled by law to furnish only 10 tuns of spirits out of 400 of wash, though he could produce 15 tons; whereas the English distiller must produce 15.

Mr. *W. Fitzgerald* contended, that the hon. gentleman had greatly exaggerated the circumstances, and had assumed, that the Irish distillers were desirous of committing a fraud, which he contended they were not; and he complained, that the hon. gentleman had not dealt fairly by them.

A long discussion ensued between sir J. Newport, Mr. W. Smith, Mr. Vansittart, and Mr. Huskisson, who moved an amendment, that the operation of the Bill should not take place till the 1st of October. The amendment was lost by 54 to 49.

## HOUSE OF COMMONS.

### *Friday, July* 1.

THE PRINCE REGENT'S ANSWER TO THE ADDRESS ON THE TREATY OF PEACE.] The Speaker reported to the House, that the House had that day attended the Prince Regent with their Address; to which his Royal Highness was pleased to return this most gracious Answer:

"Gentlemen;

"I thank you for this dutiful and loyal Address.—The sentiments which you have expressed upon the conclusion of the peace, augment the satisfaction which I have derived from that most auspicious event. The glories of the war, and the blessings of the peace, are mainly attributable, under the favour of Providence, to the manly firmness of the nation: and I am happy to bear this testimony to you, their representatives. You may rely on my unremitting exertions to give effect to your views for the abolition of the Slave Trade."

PETITION OF THE ROMAN CATHOLICS OF GREAT BRITAIN.] Mr. *William Elliot* presented a Petition from the Roman Catholics of England, praying to be admitted to a participation of the rights and privileges of their countrymen. It had been stated in that House, by one of the most respectable and eloquent asserters of the rights and privileges of the Catholics of Ireland, that not only was it his opinion that no benefit would accrue to the Catholic cause from the discussion of it during the present session, but that such was the opinion of most of the strenuous friends of that cause, both in and out of parliament. Entirely concurring as he did in the justice of that opinion, it was not his intention to do more on the present occasion than to move, that the Petition of the Irish Catholics might lie on the table. But he felt that he should not faithfully discharge his duty to those who had entrusted their cause to his hands, if he did not remind the House, that the Catholics of England were placed in a situation of greater hardship than the Catholics of any other part of the empire. They laboured under peculiar restrictions and disabilities; although among them were to be fouud many of the most illustrious and valuable members of the community.

The Petition was then brought up and read, setting forth,

"That the laws remaining in force against persons professing the Roman Catholic religion in Great Britain, subject them to many severe penalties and disabilities; and that these laws deprive the petitioners of many civil rights and privileges, of many means of providing for themselves and their families, and of every legitimate object of the ambition of British subjects, depress them in society, and (what at this important moment is particularly felt by the petitioners), shut against them every avenue to the stations in which they might otherwise hope to exert themselves honourably and usefully in the service of their king and country; and that their declining to take the oaths, on the refusal of which subjects them to penalties and disabilities of which they complain, proceeds from their conscientious adherence to tenets purely of a religious nature, which do not in any manner affect their political, civil, or moral integrity: and that every principle which has been imputed to the petitioners as inconsistent with that integrity, hath been explicitly disclaimed by the Roman Catholics in the oaths and declarations prescribed to them by the legislature; and that their allegiance to their King, and their attachment to the constitution, are pure, unreserved, and unqualified; and that, in the years 1810, 1811, 1812, and

1813, petitions were presented to the House by the English Roman Catholics, stating their grievances, and praying relief; and that, in the last session of the last parliament, the House came to a resolution "of taking into its most serious consideration, early in the then next session of parliament, the laws affecting his Majesty's Roman Catholic subjects in Great Britain and Ireland, with a view to a final and conciliatory adjustment;" and that, in the last session of parliament, the House, in pursuance of that Resolution, resolved itself into a committee, for the purpose of taking the said laws into consideration, and did then, by a Resolution of the House, fully recognize the expediency of relieving the petitioners from all the civil and military disabilities under which they labour; and that, confiding in that Resolution, and in the wisdom and justice of the House, the petitioners humbly pray, that it will take into its consideration the many penalties and disabilities to which the Roman Catholics of Great Britain are subject, and adopt such measures for their repeal, as the House shall deem expedient."

Ordered, to lie upon the table.

THE DUKE OF WELLINGTON RETURNS THANKS TO THE HOUSE.] At about a quarter before five o'clock, the Speaker being dressed in his official robes, and the House being crowded with members, some of them in naval and military uniforms, and a great number in the court dresses in which they had attended the Speaker to Carlton-house with their Address to the Prince Regent, upon the Definitive Treaty of Peace with France,

Lord *Castereagh* acquainted the House, that the duke of Wellington, having desired that he may have the honour to wait upon this House, his grace is now in attendance.

Upon this, it was unanimously resolved, that the duke of Wellington be now admitted. And a chair being set for his grace on the left hand of the bar towards the middle of the House, he came in, making his obeisances, the whole House rising upon his entrance within the bar; and Mr. Speaker having informed him, that there was a chair in which he might repose himself, the duke sat down covered for some time, the serjeant standing on his right hand with the mace grounded; and the House resumed their seats: his grace then rose, and, uncovered, spoke to the effect following:

"Mr. Speaker;—I was anxious to be permitted to attend this House, in order to return my thanks in person for the honour they have done me, in deputing a committee of members of this House to congratulate me on my return to this country; and this, after the House had animated my exertions by their applause upon every occasion which appeared to merit their approbation, and after they had filled up the measure of their favours by conferring upon me, at the recommendation of the Prince Regent, the noblest gift that any subject had ever received.

"I hope it will not be deemed presumptuous in me to take this opportunity of expressing my admiration of the great efforts made by this House and the country, at a moment of unexampled pressure and difficulty, in order to support the great scale of operation by which the contest was brought to so fortunate a termination.

"By the wise policy of parliament, the government were enabled to give the necessary support to the operations which were carried on under my direction; and I was encouraged by the confidence reposed in me by his Majesty's ministers, and by the commander in chief, by the gracious favour of his royal highness the Prince Regent, and by the reliance which I had on the support of my gallant friends, the general officers of the army, and on the bravery of the officers and troops, to carry on the operations in such a manner as to acquire for me those marks of the approbation of this House, for which I have now the honour to make my humble acknowledgments.

"Sir, it is impossible for me to express the gratitude which I feel; I can only assure the House, that I shall always be ready to serve his Majesty in any capacity in which my services can be deemed useful, with the same zeal for my country, which has already acquired for me the approbation of this House."

Loud cheers followed this speech, at the conclusion of which,

Mr. *Speaker*, who during the foregoing speech sat covered, stood up uncovered, and spoke to his grace, as follows:

"My lord;—Since last I had the honour of addressing you from this place, a series of eventful years has elapsed; but none without some mark and note of your rising glory.

"The military triumphs which your valour has achieved upon the banks of the

Douro and the Tagus, of the Ebro and the Garonne, have called forth the spontaneous shouts of admiring nations. Those triumphs it is needless on this day to recount. Their names have been written by your conquering sword in the annals of Europe, and we shall hand them down with exultation to our children's children.

"It is not, however, the grandeur of military success, which has alone fixed our admiration, or commanded our applause; it has been that generous and lofty spirit which inspired your troops with unbounded confidence, and taught them to know that the day of battle was always a day of victory; that moral courage and enduring fortitude which, in perilous times, when gloom and doubt had beset ordinary minds, stood nevertheless unshaken; and that ascendancy of character, which, uniting the energies of jealous and rival nations, enabled you to wield at will the fates and fortunes of mighty empires.

"For the repeated thanks and grants bestowed upon you by this House, in gratitude for your many and eminent services, you have thought fit this day to offer us your acknowledgments; but this nation well knows that it is still largely your debtor; it owes to you the proud satisfaction, that amidst the constellation of great and illustrious warriors who have recently visited our country, we could present to them a leader of our own, to whom all, by common acclamation, conceded the pre-eminence; and when the will of heaven, and the common destinies of our nature, shall have swept away the present generation, you will have left your great name and example as an imperishable monument, exciting others to like deeds of glory, and serving at once to adorn, defend, and perpetuate, the existence of this country among the ruling nations of the earth.

"It now remains only, that we congratulate your grace upon the high and important mission on which you are about to proceed: and we doubt not that the same splendid talents, so conspicuous in war, will maintain, with equal authority, firmness and temper, our national honour and interests in peace."

During the Speaker's Address, the cheers were loud and frequent. His Grace then withdrew; making his obeisances in like manner as upon entering the House; and the whole House rising again whilst his grace was re-conducted by the serjea from his chair to the door of the House.

Lord *Castlereagh* rose and said: Sir, i commemoration of so proud and so grateful a day—a day on which we have ha the happiness to witness within these wal the presence of a hero, never excelled any period of the world, in the service this or of any other country—in commemoration of the eloquent manner in whic that hero was addressed from the chair, o an occasion which must ever be dear t Englishmen, and which will ever she lustre on the annals of this House, I move Sir, "That what has been now said by th duke of Wellington, in returning Thanks t the House, together with Mr. Speaker' Answer thereto, and the proceeding upo the above occasion, be printed in the Vote of this day.

The Speaker having put the question the same was agreed to *nem. con.*

Thus ended the most dignified, and a the same time the most affecting proceeding, that we ever witnessed in parliament

Mrs. Mary Anne Clarke.] M *Bennett,* alluding to the petition he ha presented last night, stated, that he understood there had been no intention t visit Mrs. Clarke with a more severe punishment than the law had pronounced that she was now removed to one of th state-apartments, and considering th nature of the prison (which might b matter for future consideration), was a well accommodated as could be expected He had seen a person from the marshal o the King's-bench prison (that officer himself being occupied by the duties of his situation), who informed him that though formerly money had been taken for granting good accommodation, such a practice had now entirely ceased. That such practice was in the highest degree unjus and criminal, no doubt could be entertained. Reserving to himself the power to bring forward, should he think it expedient, the subject on a future day, he should for the present decline any further proceeding.

The *Attorney General* said, that before Mrs. Clarke had been many days in confinement, she had complained to the chief justice of the treatment she experienced and that his lordship had immediately deputed a most respectable character, Mr. Law, to make enquiry into the state of the case. Mrs. Clarke had conceived that she was entitled to certain apartments, and had fixed upon some that she thought would be most convenient for her. She was told that as soon as the apartments in question, which had been long occupied by a gentleman confined for debt, should be vacant, she should have her choice of them, or of any other that might be vacant at the same time. The marshal had no power to dispossess any prisoner of the apartments which he occupied; and Mrs. Clarke had now the best—(bad enough certainly to those who had been accustomed to live in luxury)—that the prison afforded. The House would, no doubt, never shut its doors to the petitions of the subject; but he thought they should be cautious how they interfered in these cases, where a constitutional remedy was already provided. The Chief Justice, as soon as a complaint had been preferred, immediately sent a proper person to enquire into the case; and if that had not been done, an application to any judge would have at once procured redress.

IRISH BUDGET.] The House having gone into a Committee of Ways and Means,

Mr. *William Fitzgerald*, the chancellor of the Irish Exchequer, said, that many of difficulties and embarrassments in the finances of Ireland had been considerably diminished by the duties which, in the course of his duty, he had proposed to the House last year. There was one difficulty which resulted from a peculiarity in the situation of Ireland, a difficulty derived from the preceding practice of meeting the necessities of a year of peace by the imposition of taxes when parliament had relieved England from similar taxes. There had, however, been, in the practice alluded to, certain benefits and advantages to which Ireland was, perhaps, indebted for her ability to bear those burthens which were now laid on her. In the statement of the finances of Ireland, which he was about to submit to the House, he should endeavour to occupy as little of their time as possible. The following were the particulars of the Supply:—

| | |
|---|---|
| Deficiency of Contribution, 1813 - | £.4,466,471 |
| Estimated Quota of this year - - - | 8,732,685 |
| Interest and Sinking Fund on present debt - - - - - - - - - - | 5,546,299 |
| Total supply - - - - | 18,795,455 |

The next thing he should advert to was the state of the consolidated fund of Ireland:—

| | |
|---|---|
| Balance, January 5, 1814 - - - - | 1,383,758 |
| Remaining of British Loan, 1813 - - | 2,953,147 |
| | 4,336,905 |

From this there was to be deducted, as arrears—

| | | |
|---|---|---|
| Principal of outstanding Treasury Bills and Lottery Prizes | 28,480 | |
| Inland Navigations - - - - | 69,596 | |
| | | 98,076 |
| Surplus of Consolidated Fund - - - | | 4,238,829 |

The Total of the Supply, as he had already stated, amounted to 18,795,455*l.*

He would now proceed to state the Ways and Means:—

| | | |
|---|---|---|
| Surplus of the Consolidated Fund - - | | 4,238,820 |
| Revenues, estimated at - - - - - - | | 5,350,000 |
| Profit on Lotteries - - - - - - - | | 120,000 |
| Seamen's Wages - - - - - - - - | | 71,000 |
| Two-seventeenths of 576,351*l.* for Naval Stores, 15-17ths thereof being taken credit for by England 67,806*l.* Brit. - | | 73,456 |
| Loan in Ireland - - - | 3,000,000 | |
| Loan in England, 5,500,000*l.* Brit. - - - - - - - | 5,958,333 | |
| | | 8,958,333 |
| | | 18,811,618 |

In adverting to the charge for the loan, he might be allowed to state, that the sum borrowed in Ireland this year, was the greatest ever yet raised in that country.

| | |
|---|---|
| Irish Loan, 3,000,000*l.* at 5*l.* 11*s.* 9*d.* for money - - - - - - - - | 167,625 |
| English Loan, 5,950,353*l.* at 5*l.* 18*s.* 9½*d.* for money - - - - - - - - | 353,900 |
| | 521,525 |

Before he went into a recapitulation of the items of the duties and taxes to meet the above charge, he hoped he might be permitted to restate an opinion, which he delivered last year on a subject, perhaps, of the greatest importance of all those which grew out the of Act of Union, and that was, that the Union could not be considered as completed till the consideration of the finances of Ireland was taken up in the way pointed out by the Act of Union. It was a satisfaction to him to find, that that opinion had not been disapproved of by those public men who were looked upon as the best acquainted with the interests of Ireland. That country ought to be brought up to a rate of taxation similar to that of England, at least in those cases where she possessed corresponding resources. With this view, he should propose an equalization of duty on all foreign articles imported into Ireland. The expectations which he held out last year in proposing new duties, had been more than realized; for there was not one of those duties which had not in collection more than exceeded the estimate. He could see no grounds for Ireland being exempted from a particular species of taxation; but with respect to articles liable to Custom-house duty, he could also see no grounds why a difference of rate should have existed so long between the two countries. It was his intention, therefore, to include, in his arrangement of this year, some articles which had never yet been subject to taxation. He should propose a resolution, to impose a duty on several articles used in the manufactories of Ireland. He hoped that the grounds by which he was actuated would satisfy those interested in manufactures, that these duties were necessary to prevent gross abuses against the revenue system. Several articles, hitherto exempted from duty, such as ashes, barilla, and also a congregated set of articles, known under the name of dye-stuffs, he conceived to be proper objects of taxation. The truth was, that a great number of those articles imported into Ireland, were never used in the manufactures of that country, but were conveyed to England, to the great loss of the revenue. To do away this mischief, and at the same time raise a revenue in Ireland, he should propose that the duties on those articles should be the same in Ireland as in Great Britain. He conceived it proper, however, to allow a drawback for those articles used in the bleaching of linen; and every facility, therefore, would be given to the manufacturers to obtain the drawback. He should estimate the increase of Custom-house duties from the equilization of rates at only 200,000*l.*—The next means of providing for the deficiency was a duty on spirits. This duty, while it provided for the wants of the Irish revenue, would accomplish another object, that of facilitating the intercourse between the two countries. The duties which he had proposed the former year had, in a great measure, prevented smuggling in Ireland, and were not only beneficial to the revenue, but advantageous, when considered in a national point of view. In consequence of this, duty, England ought to give, on every principle of sound policy and national faith, every facility to the intercourse in spirits. He estimated the produce of the new duties on spirits at 300,000*l.* The next means were the stamp duties. The duty on legacies had not been found so productive in Ireland as was expected, and, in fact, had yielded almost nothing.

One source of revenue that he should propose was, a duty upon letters of attorney, which, whether it was productive or unproductive, being equally beneficial to Ireland, he hoped would meet with full concurrence. The resolution he should move would augment the stamp duty to 1*l.* 10*s.* upon every letter of attorney for the receipt of 60*l.* and it would rise in proportion to the sum. The effect would be to decrease the number of factors or middlemen in Ireland, who went between the owner of the soil and the occupant to receive the rents; by these means, the landlord and the tenant would be approximated, and residence of wealthy proprietors in Ireland would be promoted. The amount that this increase of duty would produce, he calculated at 15,000*l.* A new excise upon glass, beyond the countervailing duty, would likewise produce 15,000*l.* —The next and only remaining item regarded the postage of letters: the committee was aware that last year an alteration had been made by augmenting the sum paid upon letters sent direct between the capital and the principal towns of Ireland, and his object now was, to adopt the same regulations with regard to the cross post of the sister kingdom, and, as in England, the utmost extent charged would be three hundred miles. The produce of thi new regulation would be about 5,000*l* per annum.—The right hon. gentleman then proceeded to detail the increase o the various sources of revenue, excepting malt, which had fallen off at the time o the stoppage of the distillery. He also detailed the measures adopted last year and the amount produced beyond wha was calculated. The amount of customs for the whole year had been estimated a 250,000*l.* whereas, in the first seven months the sum obtained was 190,000*l.* The duty of 3*s.* per barrel upon malt, estimated at 115,000*l.* per annum, in the first three months, had given 60,000*l.*

He congratulated the House upon the prospect afforded in another division o the subject—exports and imports. Comparing the produce of the twelve years preceding, with the twelve years succeeding 1802, there was an augmentation on the exports of 12 millions, on the imports 18 millions; on ships 19,000*l.* and or tonnage 187,000 tons, proving an increasing prosperity in the commerce of Ireland. He adverted to some of the objections made to assimilating the custom duties of England and Ireland, and to establish the benefit of the latter system, he referred to the gross amount of the customs of Ireland up to the last year. The sum at the close of the last quarter was 2,790,409*l.* although it had laboured under great disadvantages. The average on the three preceding years was only 2,474,080*l.* giving an increase of 316,329*l.* The sum paid on the importation of French wines had been greatly increased, another proof of prosperity. The duty upon spirits and malt had also risen; in the three last years, as compared with the three years preceding 1793, the additional revenue gained upon the above articles was 3,335,000*l.* He went on to controvert the opinion that, since the Union, the same exertions had not been made to collect the revenues as previous to that event; he quoted the amount of the net revenue before the Union, 39 millions, and the amount for the thirteen years posterior to the Union, 116 millions, and argued that the difference was to be attributed to the greater activity in the collection of the revenue.

On the only former occasion, on which it had been his duty to bring under the consideration of parliament the general state of the resources of Ireland, he had expressed that opinion, to which he still adhered, namely, that it was mainly owing to the system on which we had acted with respect to Ireland, that she had increased as she had done in these resources, and had advanced so rapidly, in despite of the comparative augmentation of her burthens, to wealth and to prosperity. He had then cautioned the House not to press too strongly on these nascent sources of our strength.

I then laid before you, said the right hon. gentleman, what Ireland had done. I did not conceal from her the sacrifices which she would be called upon to make. I expressed that hope which parliament has fulfilled, a hope that would not anticipate the resources of Ireland, for if you anticipate, you crush them. I presume to say, that in the propositions which I lay this day before you, I give no indistinct evidence of a disposition to meet the difficulties of our situation, of a desire not to shrink, through any personal feelings, from the imposition of such burthens as I think the country is able to bear: and if, Sir, at the close of this long, eventful and triumphant war, in which Great Britain has made such sacrifices, and in which Ireland has contributed such as were corresponding to her means; if England has set a splendid example to surrounding nations, her sister island has been far from backward in those exertions, by which our national character has been raised to its present proud pre-eminence. Let us not be told, then, that we have been but a burthen to the empire, to whose success we have contributed so essentially. We have given you him, whom you have this day, for the first time, seen within your walls, since he ran his race of glory, and whose presence shed a lustre round the House. He could have told you, in the language of one of her most eloquent sons, that the heart sluices of Ireland had been opened in your cause. I will not speak of any one who may be present, for my noble friend is present, under whose councils that treaty has been accomplished, by which convulsed Europe has been restored to its ancient and regulated form; and if Great Britain is justly proud of the battle she has fought, Ireland has a claim to participate in her triumph.

The right hon. gentleman then moved his first resolution.

Sir *Henry Parnell* agreed, that the progressive amelioration of the finances of Ireland had been considerable, but thought that the adoption of some new and striking financial regulation was absolutely necessary. According to the statement of the Chancellor of the Exchequer, the net revenue of Ireland was 5,350,000*l.* The charge on the debt 5,540,000*l.* which then alone exceeded the net revenue, by nearly 200,000*l.* The lowest calculation of the peace establishment of the United Kingdom was 17,000,000*l.* of which the charge on Ireland was 2,000,000*l.* which together, with this excess of 200,000*l.*, and other separate charges of Ireland, would amount next year to a charge exceeding by 2,400,000*l.* the net revenue. How was this deficiency to be met? A loan to this amount could not with good grace be proposed in a year of perfect peace, taxes to this amount must then be proposed according to the usual course of proceeding. But this deficiency, however, could be made up without either new taxes or loan. The existing taxes, if well levied, would amount to the sum required. It would be considered perhaps extraordinary, that an increase of 2,400,000*l.* could be effected by an improvement in the collection of the revenue; but if the able reports on the table of the House, on the subject of the Irish revenue, were read, it would be seen, that he was not extravagant in his expectations. The abuses in the collection of the revenue in Ireland were very great, but the reformation would be extremely easy, and he hoped some measure to that purpose would be proposed. The system of patronage applied to the collection of the revenue, was the cause of the evils in this department in Ireland. At the time of the Union, no regulation was made as to the executive power of Ireland. It was well known that, before that measure, the patronage of the revenue was applied to the purposes of parliamentary corruption; and since that event this practice had not been checked. The consolidation of the Treasuries of the two countries was a measure greatly to be desired, and without this no effectual controul could be exercised over the collection of the revenue. Because the Irish Treasury, though intended to serve as a controul, was a complete nullity, and was likely to continue so. The manner in which this consolidation of the Treasuries would be productive of so much good, would be by depriving the Irish executive government of the revenue patronage; the board of Treasury sitting in this country, under the immediate direction of the first lord of the Treasury, would exercise all those powers in regard to patronage and controul, as it exercises them here, and would allow the several boards of revenue in Ireland to appoint, promote or dismiss their officers, in the same way the boards here are allowed to do. It was absurd to consider the Irish boards responsible, or capable of collecting the revenue, so long as the interference of the Castle in all the patronage prevailed. If the taxes in Ireland were well managed, they would not only meet the joint charge on that kingdom, but leave a surplus to be applied to the assistance of the English revenue.—As to the tax on powers of attorney, as it was to amount to one per cent. on the sum to be received, when it exceeded a certain amount, and as the power was necessarily renewed yearly, it would, in effect, amount to a property tax of one per cent. on those Irish landlords who did not collect their own rents—a trouble which no landlord would give himself, as in that country it was not possible, as in England, to call the tenants together on a certain day, to receive the rents from all. Besides, it would be utterly impossible to collect this tax, unless regulations were enacted to ascertain every man's income, and unless the whole system of collecting the property tax in this country was introduce into Ireland.—With respect to the Post office, it was satisfactory to find some improvement had taken place in the revenu of it, as, until a late period, it was by fa the worst-conducted department in Ireland. This revenue was capable of stil farther improvement, by such regulation as would expedite the conveyance of letters, and thus lead to an increased correspondence. A custom prevailed in Dublin which could not be justified by any soun reason, of detaining all letters which cam there for the purpose of going forward 1 or 14 hours, by having the hour of the arrival of the mails fixed at six o'clock in the morning, and the hour of departur to England or to the interior, late in the evening. By this regulation, an answer to a letter written from the country to England, or to any other part of the country was on an average delayed unnecessarily twenty-eight hours. If no such regulation was necessary in Liverpool or Bristol where the correspondence was greate than in Dublin, it could not be wante there. If, again, the carrying of the mails between London and Holyhead was regulated properly, a saving of six hours might be made on each journey, withou requiring the mail to travel faster than the usual rate of seven miles an hour. These regulations would be highly beneficial to the mercantile and other interests, and, at the same time, productive of a great increase of revenue.—On the subject of the Spirit duties, it was desirable the discretionary power which was vested in the commissioners of excise, to grant or refuse licences, should be taken away, and that, in regard to the establishing of small stills, the large ones might be protected, by providing, that no small still should be set up within a prescribed distance. No complaint was now intended to be brought against the commissioners for any particular act of theirs, though many had certainly been made; but such a discretionary power over the capital and industry of the country ought not to have existence anywhere, it being the unquestionable right of every man to employ his money and his labour in whatever way he thinks proper, subject to no other restraint but that of clear and unerring legislative regulations. The hon. baronet concluded by stating, that what he had said in regard to the necessity of a general and immediate reform in the financial system of Ireland, was of extreme consequence to the people of that country: for, if no such reform took place, then the necessity would exist in the next session of imposing new taxes adequate to produce a no less additional revenue than 2,400,000*l.* If a proper reform was effected, as it might very easily be, simply by assimilating the practice of Ireland to that of this country, then such a heavy burthen might be entirely avoided.

Mr. *Peel* denied that ever, to his knowledge, an improper use had been made of the revenue patronage, and called on the hon. baronet to produce any instance of the kind. One instance had been formerly adduced in the case of Mr. Beauchamp Hill, but whether or no this was a case of an improper use of the revenue patronage, he did not know, as the facts alluded to took place long before he held any office under the Irish government. As to the tax on the powers of attorney, it would tend to produce the residence of the landlords, which was one of the things most desirable in Ireland.

Sir *John Newport* observed, that the legacy tax would have produced at least double the amount stated by the right hon. gentleman, if that tax had been properly collected. But that it was not so collected was matter of notoriety; for the report of the officers employed to collect the tax, as to the penalties incurred respecting this tax, was laid before the proper board in Ireland, and never attended to. This fact was made known to a committee above stairs, and the late chancellor of the exchequer (Mr. Perceval) expressed his astonishment that any public board should so far have neglected its duty. But the neglect was to be accounted for; some Irish judges and counsellors of the public boards having been among the defaulters, and hence the penalties reported by the proper officer were never enforced. This circumstance, however, having occurred antecedent to the appointment of the right hon. gentleman (Mr. Fitzgerald) was not attributable to him. This was not the only instance in which the collection of the Irish revenue was neglected, for he could cite instances of similar neglect, and such neglect could not be wondered at. He had lately heard of an Irish board, meant to be efficient, at which only one commissioner attended for some time, and this commissioner actually declared his intention to resign, stating that he accepted the office only because his father told him it was a sinecure. After some animadversion upon particular taxes, the right hon. baronet observed, that no sufficient controul with respect to taxation, could ever exist in Ireland, until the financial was separated from the political department. What would be the case in this country, if the management of the finances was committed to the Secretary of State, instead of being vested in the Treasury? Yet, in Ireland, although by a special Act in 1795, the management of the finances was committed to the lords of the Treasury, the whole was undertaken by the secretary of the lord lieutenant, who was generally a person very little acquainted with the affairs of Ireland. The right hon. baronet, adverting to the fourteen Reports before the House, from the commissioners of enquiry, with respect to the collection of the revenue in Ireland, pronounced a high compliment upon the industry and integrity of those commissioners, and stated his intention, early in the next session, to bring forward certain propositions, founded upon the recommendation of this commission. He also stated his intention, unless the measure were taken up by government, to move for the appointment of a commission to enquire into the expenditure of the Irish revenue, which commission would, he hoped, be found to imitate the example of the commission to which he had alluded.

Mr. *W. Fitzgerald* vindicated the conduct of the board of excise in Ireland, which was, he maintained, entitled to the highest praise for its zeal, energy, and attention to the public service.

Sir *J. Newport* recommended the peculiar attention of the excise board to the encouragement of small stills, as the best system for watching and guarding against illicit distillation.

Mr. *Wynn* deprecated the imposition of any absentee tax, with respect to Ireland, and quoted the authority of Mr. Burke in support of his opinion.

The several Resolutions were then agreed to.

Irish Assaults' Bill.] Mr. *Peel* rose to move for leave to bring in a Bill, to render more easy and effectual the redress of assaults in Ireland. He said, the object of his Bill would be to induce persons, who had suffered violent assaults, to appeal to the law for relief and protection, by enabling them to procure it more immediately, and without expence. The Bill would comprise two material alterations in the law: the first would enable the persons assaulted to bring their case before the assistant barrister, at the quarter sessions. The second would empower the judge or the court, at their discretion, to allow a compensation for expences to the prosecutors.

Sir *J. Newport* seconded the motion.

Mr. *Wynn* suggested, whether it would not be proper to pay the expences out of a county fine, instead of making the person convicted of the offence liable for them.

Mr. *Peel* thanked the hon. gentleman for his suggestion. There was, he believed, no county fines in Ireland, but the sum might be levied upon some similar principle. Perhaps the offender having ultimately to pay the expences, would be an additional security against the commission of the offence.

Leave was given to bring in the Bill.

REPORT ON WEIGHTS AND MEASURES.] Sir George Clark presented the following Report:

> The SELECT COMMITTEE, appointed to enquire into the original standards of Weights and Measures in this kingdom, and to consider the laws relating thereto, and to report their observations thereupon, together with their opinion of the most effectual means for ascertaining and enforcing uniform and certain standards of Weights and Measures to be used for the future, and to whom were referred the Reports, which, upon the 26th day of May, 1758, and the 11th day of April, 1759, were made from the Committtee appointed to enquire into the original standards of Weights and Measures in this kingdom, and to consider the laws relating thereto; and also the standard Weights and Measures referred to in the said Reports;—have examined the matters to them referred, and agreed upon the following Report:

Your Committee, in the first place, proceed to enquire, what measures had been taken to establish uniform Weights and Measures throughout the kingdom. They found that this subject had engaged the attention of parliament at a very early period. The Statute-book from the time of Henry the 3d, abounds with Acts of parliament enacting and declaring that there should be one uniform Weight and Measure throughout the realm; and every Act complains that the preceding statutes had been ineffectual, and that the laws were disobeyed.

The select committee of the House of Commons, which was appointed in the year 1758, to enquire into the original standards of Weights and Measures in this kingdom, and to consider the laws relating thereto, made a very elaborate Report on this subject, in which is contained all the information that is necesary with regard to the enquiry into what were the original standards of Weights and Measures. The committee of 1758, first give an abridged state of the several statutes which have been enacted relating to Weights and Measures,—1st, so far as they establish any Weights or Measures, or standards for the same; and 2d, so far as any means, checks, or sanctions are provided to compel the use of the established Weights and Measures, or to punish disobedience. The committee then point out what appeared to them to be the principal causes which had prevented the attainment of that uniformity, so much and so wisely desired by parliament. These are stated to be the want of skill in the artificers, who, from time to time, made copies of the standards kept in the Exchequer; and as these imperfect measures were again copied from, every error was multiplied, till the variety of standards rendered it difficult to know what was the real standard, or to apply any adequate remedy.

In the second place, the multiplicity of statutes made on this subject, many of which are at variance with others, and in many of which there are partial exceptions of particular counties, and particular articles, from the operation of the Acts, appeared to the committee to be the principal cause of the various errors which were every where found to prevail.

Upon an accurate comparison of the various measures preserved in the Exchequer, and which are directed to be used for sizing and adjusting all other measures, they were found to differ materially from each other, and yet (the committee observe) as the law now stands, all these measures must be understood to contain the like quantities, are equally legal, and may be indiscriminately used.

Of these various measures, the committee recommend the adoption of the ale gallon of 282 cubical inches, and to abolish the use of all the others. They also recommend that the troy pound should be the only standard of weight. Though your Committee agree entirely with the Report of the committee of 1758, that there should be only one gallon for measuring all articles whatsoever, and only one denomination of weight, yet they cannot concur, for reasons which will be hereafter stated, in the selection made by that committee in appointing these standards.

This Report was agreed to by the House; and in the year 1765, two Bills were brought in by lord Carysfort, who was chairman of the committee of 1758, for the purpose of carrying into effect the resolutions of that committee. These Bills were severally read a first and second time, and committed; and the Bills, as amended by the committee, were ordered to be printed on the 8th day of May. Parliament was, however, prorogued in that year, on the 25th day of May; and these Bills, which (as far as can be collected from the Journals) were approved of by the House, were thus unfortunately lost. Since that period, little has been done to accomplish this important object. A committee was indeed appointed in the year 1790, but they do not appear to have made any progress, as your Committee have been unable to find any minutes of their proceedings. Two Acts were passed in the years 1795 and 1797, the 35 Geo. 3, cap. 102, and 37 Geo. 3, cap. 143, which empower justices of the peace to search for and destroy false weights, and to punish the persons in whose possession they are found; but no mention is made in these Acts of deficient measures.

Your Committee now proceed to state, what appear to them to be the principal causes which have prevented the establishment of uniform Weights and Measures: and to state the reasons which have induced them to differ from the committee of 1758, in some of their Resolutions. It appears to your Committee, that the great causes of the inaccuracies which have prevailed, are the want of a fixed standard in nature, with which the standards of measure might at all times be easily compared, the want of a simple mode of connecting the measures of length, with those of capactity and weight, and also the want of proper tables of equalization, by means of which the old measures might have readily been converted into the new standards. Some rude attempts seem to have been made to establish a mode of connecting the measures of capacity with weight. In an Act of the 51st of Henry 3d, intituled, "Assisa Panis et Cervisiæ," it is declared, "that an English penny called the sterling, round, without clipping, should weigh 32 grains of wheat, well dried and gathered out of the middle of the ear; and 20 pence to make an ounce, 12 ounces a pound, 8 pounds a gallon of wine, and 8 gallons of wine, a bushel of London."

Nothing, however, can be more uncertain and inaccurate than this method of determining the size of a gallon measure by the weight of a certain number of grains of wheat, which must vary according to the season, and the nature of the soil and climate where they are produced.

In order to obtain some information as to what were the best means of comparing the standards of length, with some invariable natural standard, your Committee proceeded to examine Dr. W. Hyde Wollaston, secretary to the Royal Society, and professor Playfair, of Edinburgh. From the evidence of these gentlemen it appears, that the length of a pendulum making a certain number of vibrations in a given portion of time will always be the same in the same latitude; and that the standard English yard has been accurately compared with the length of the pendulum, which vibrates 60 times in a minute in the latitude of London. The length of this pendulum is 39.13047 inches, of which the yard contains 36. Any expert watchmaker can easily adjust a pendulum, which shall vibrate exactly 60 times in a minute.

The French government have adopted, as the standard of their measures, a portion of an arc of the meridian, which was accurately measured. The standard metre, which is the 10,000,000th part of the quadrant of the meridian, which is engraved on the platina scale, preserved in the national institute, has been compared with the English standard yard, by professor Pictet, of Geneva, and was found to exceed it, at the temperature of 32°, by 3.3702 inches; and at the temperature of 55°, by 3.3828 inches. The standard yard may therefore be at any time ascertained, by a comparison either with an arc of the meridian, or the length of the pendulum, both of which may be considered as invariable.

The standard of linear measure being thus established and ascertained, the measures of capacity are easily deduced from it, by determining the number of cubical inches which they should contain. The standard of weight must be derived from the measures of capacity, by ascertaining the weight of a given bulk of some substance, of which the specific gravity is invariable. Fortunately that substance which is most generally diffused over the world, answers this condition. The specific gravity of pure water has been found to be invariable at the same temperature; and, by a very remarkable coincidence, a cubic foot of pure water (or 1.728 cubical inches) at the temperature of 56½° by Fahrenheit's thermometer, has been ascertained to weigh exactly 1000 ounces avoirdupois, and therefore the weight of 27.648 inches is equal to one pound avoirdupois.

This circumstance forms the groundwork of all the succeeding observations of your Committee.

Although in theory the standard of weight is derived from the measures of capacity, yet in practice it will be found more convenient to reverse this order. The weight of water contained by any vessel, affords the best measure of its capacity, and is more easily ascertained than the number of cubical inches by gauging. Your Committee, therefore, recommend that the measures of capacity should be ascertained by the weight of pure or distilled water contained by them, rather than by the number of cubical inches, as recommended in the 4th Resolution of the Committee of 1758.

Your Committee are also of opinion, that the standard gallon, from which all the other measure of capacity should be derived, should be made of such a size as to contain such a weight of pure water of the temperature of 56½°, as should be expressed in a whole number of pounds avoirdupois, and such also as would admit of the quart and pint containing integer numbers of ounces, without any fractional parts. If the gallon is made to contain 10 pounds of water, the quart will contain 40 ounces, and the pint 20. This gallon recommended by your Committee, will contain 276.48 cubical inches, being nearly 3 per cent larger than the gallon or 8th part of the Winchester bushel, as fixed by the Act of the 13th and 14th of William and Mary, cap. 5, which contains 268.803 cubical inches, and the bushel will contain 2211.84 cubical inches, instead of 2150.42.

Your Committee are of opinion, that this departure from the corn measure, which is employed in the collection of the malt tax, and is supposed to be most generally used throughout the kingdom, is justified by the advantages which they anticipate from the change. General uniformity cannot be expected, unless some simple and accurate method of checking the standard measures is adopted; and as the weight of water appears to be the best and most simple method of checking measures of capacity, it is desirable that all minute fractions of weight should be avoided. There will be much less chance of error in weighing the water contained in any measure, if only one or two weights are to be employed, than if a greater number were necessary, which would be the case if fractional parts were required. The difficulty of remembering long fractions is also an important consideration, and would very materially impede the attainment of that general uniformity which is so much desired. If this gallon is adopted, the bushel will contain 80lbs. of water, or 2211.84 cubical inches; the quart 69.12 cubical inches or 40 ounces of water; the pint 34.56 cubical inches or 20 ounces of water: the half pint will contain 17.28 cubical inches (which is exactly $\frac{1}{100}$th part of a cubical foot) and 10 ounces of water. Any smaller measures might with great propriety be described, according to the number of ounces of water they contained.

Your Committee are of opinion, that the simple connection which will in this manner be established between the standard of Weight and Measures of capacity, will greatly tend to preserve the uniformity of those measures which are found to be most liable to error. They have, besides, been induced to select this size of measure as a standard, both because it very nearly coincides with one of the standard corn measures preserved in the Exchequer, namely the standard pint marked 1602, which contains 34.8 cubical inches; and also because it possesses the advantage of bearing very simple relations to the gallon measures, which are employed in measuring ale and wine. The calculations therefore which would be necessary for ascertaining the corresponding duties, which must be charged upon exciseable liquors, would be easily made.

Your Committee will now proceed to state their opinion with regard to the standard of Weight. Although the troy pound is the only weight established by law, yet the avoirdupois pound is so much more generally known and used, that your

Committee cannot hesitate to recommend it in preference to the troy pound. Your Committee are, however, inclined to recommend two exceptions: as the goldsmiths regulate their traffic by the troy weight, and considering the connection of this branch of trade with the standard of the coin, it appears advisable that gold and silver should be sold by troy weight.

Your Committee would also recommend, that the apothecaries' weight should remain without any alteration, as any change in the weights employed by them in compounding their medicines, might be attended with dangerous consequences.

It appears to your Committee, that the most accurate mode of ascertaining the standard pound, is to immerse in water a solid cylinder of brass containing 27.648 cubical inches, and to ascertain the difference between its weight in water and its weight in air, by means of the common hydrostatic balance. The difference between its weight in water and its weight in air (or the weight of the volume of water occupying the same space) is the pound avoirdupois. This method is recommended, as it has been found to be much more easy to ascertain the solid contents of any body, by taking its external dimensions, than to find the exact contents of any measure by gauging. In this manner, the standard of length is kept invariable, by means of the pendulum; the standard of weight, by the standard of length; and the standard of capacity, by that of weight. Your Committee have not gone into any detail of the inaccuracies of the present system, as they are very fully stated in the Report of the Committee of 1758, before alluded to.

In order to preserve uniformity in the Weights and Measures to be used in future, your Committee would recommend that no person be allowed to make or sell any weights or measures without having obtained a licence for that purpose, on payment of a certain sum; and that all Weights and Measures should be marked with the name of the maker, and the initials of the person who examines them. The person who last examines the Weights and Measures, should not be permitted to alter them; but if he finds them to be incorrect, should return them to the maker, to be properly sized and adjusted. All new weights and measures will therefore in this manner undergo a double examination. Your Committee are of opinion, that the powers given to justices of the peace by the Acts of the 35 Geo. 3, cap. 102, and the 37 Geo. 3, cap. 143, to search for and destroy deficient weights, and to punish the persons in whose possession they are found, should be extended, so as to give them the same powers with regard to false or deficient measures.

Your Committee cannot conclude without stating the opinion of professor Playfair, with regard to the necessity of adhering strictly to one simple and general view, in appointing the standards, without departing from it, for the sake of accommodating individuals or particular classes of the community. The advantage of the public at large cannot be consulted, unless this rule is rigorously observed. The simplicity and accuracy of the system would be sacrificed by any partial exceptions, and it may be considered as certain, that unless the rules are simple and the constructions independent of minuteness of division, an opening will be left for fraud, and for all the perplexity in which the standards of the country are at this moment involved.

1. Resolved, That it is the opinion of this Committee, that it is necessary, in order effectually to ascertain and enforce uniform weights and measures to be used for the future, that all former statutes relating thereto should be repealed.

2. That the distance between the two points in the gold studs in the brass rod, described in the Report of the select committee of 1758, and preserved in the custody of the clerk of this House, ought to be the length called a yard; and that one third part thereof should be a foot, and the 12th part of the foot one inch.

3. That the length of a pendulum, vibrating 60 times in a minute of time, in the latitude of London, has been ascertained to be 39.13047 inches, of which the standard yard contains 36.

4. That all measures of length whatsoever should be taken in parts, multiples, or certain proportions of the said standard yard.

5. That a cubic foot of pure water, at the temperature of $56\frac{1}{2}°$ has been ascertained to weigh exactly 1000 ounces avoirdupois.

6. That all measures of capacity should be ascertained by the weight of water therein contained, as well as by the number of cubical inches.

7. That all measures of the same denomination, whether of liquids or of dry goods, ought to contain the same weight

of water, and the same number of cubical inches.

8. That the gallon ought to contain 10 pounds of pure water, or 276.48 cubical inches; that the quart, or 4th part of the gallon, ought to contain 40 ounces of water, or 69.12 cubical inches; that the pint, or half of the quart, ought to contain 20 ounces of water, or 34.56 cubical inches.

9. That the bushel ought to contain 8 of the said gallons, or 80lbs. of water, or 2211.84 cubical inches; and that all other measures of capacity ought to be taken in parts, multiples, or proportional parts of the said gallon.

10. That the standard of weight ought to be the pound avoirdupois, which is equal to the weight of 27.648 cubical inches of pure water, of the temperature of 56½°; that the 16th part of the said pound should be an ounce, and the 16th part of such ounce should be a dram; that the third part of the dram should be a scruple, and the 10th part of the scruple one grain; and that all other weights should be taken from parts, multiples, or proportional parts of this pound.

11. That all contracts, bargains, sales and dealings, ought to be taken and adjudged to be according to the standards aforesaid; and that no person should recover the price of goods sold, or the goods themselves, or any damages on account of any contracts, bargains, sales or dealings, but according to the said standards.

12. That it ought to be penal for any person to have in his possession any measure or weight that is not agreeable to the aforesaid standards.

13. That it ought to be made highly penal for any person to make or sell any measure or weight that is not agreeable to the aforesaid standards.

14. That for enforcing an uniformity in the weights and measures to be used for the future, no person should be permitted to make weights and measures, without having first obtained a proper licence for that purpose, on payment of a certain sum.

15. That all weights and measures to be hereafter made, ought to be marked with the name of the maker; and, after a proper examination of the weight or measure, the same to be stamped with the initials of the name of the person who has examined it.

16. That all weights exceeding one pound, should be made of brass, copper, bell metal or cast iron; and that all weights of one pound or under, should be of gold, silver, brass, copper, or bell-metal.

17. That the standard yard mentioned in the 2d resolution, and a pound avoirdupois, made according to the directions before mentioned in this Report, together with models or patterns of the measures of capacity before mentioned, ought to be deposited in the court of the receipt of the Exchequer, and there safely kept under the seals of the Chancellor of the Exchequer, and of the Chief Baron, and the seal of office of the chamberlains of the Exchequer, and not to be opened but by the order of the Chancellor of the Exchequer, and Chief Baron for the time being.

18. That models or patterns of the said standard yard, gallon, and pound avoirdupois, and of the parts and multiples thereof, before mentioned, should be distributed in each county, city, or corporate town, being a county within itself, in such manner, as to be readily used as evidence, in all cases where measures and weights shall be questioned before the justices of the peace for each county or city, and for adjusting the same in a proper manner.

19. That the provisions of the Acts of the 35 Geo. 3, cap. 102, and the 37 Geo. 3, cap. 143, should be extended, so as to empower justices of the peace to search for and destroy false measures as well as false weights, and to hear and determine and put in execution, the law with regard to weights and measures, and to inflict or mitigate such penalties as shall be thought proper, and to have such other authorities as shall be necessary for compelling the use of weights and measures agreeable to the aforesaid standards.

20. That the sheriff of each county ought be directed to summon a jury of 12 sufficient men living within the county, to return a verdict, on the comparison to be made before them of the proportions which the new standards bear to those formerly in use in each county respectively; and according to the verdict then returned, tables of equalization should be made, and copies of the same should be distributed through each county; and that all existing contracts or rents payable in corn, should be calculated according to these tables of equalization.

The Report was ordered to lie on the table, and be printed.

## HOUSE OF LORDS.

*Monday, July, 4.*

REVERSION BILL.] Earl *Grosvenor*, adverting to the long period that had been allowed to elapse since the first reading of the Reversion Bill, and observing that very injurious consequences might result from permitting the existing Bill to expire before the preparation of another to replace it, gave notice that he would, on Wednesday, move the second reading of the Bill.

The *Lord Chancellor* observed, that the circumstance of a similar Bill being in progress through parliament, would prevent the existing Bill from becoming inoperative, even should the time provided for its duration expire before the passing of the new Bill. To him, however, these successive measures of suspension appeared highly inexpedient.

Earl *Grosvenor* expressed his hope, if that was the feeling of the noble and learned lord, that he would lend his aid towards the introduction of a Bill, not of suspension, but of abolition.

The *Lord Chancellor* declared, that the noble earl had utterly mistaken his sentiments on the subject. He thought all interference with it nugatory and inexpedient. He wished the noble earl would take some other day than Wednesday; as there were already some orders for that day, the discusion of which would probably occupy considerable time.

After a short conversation between lord Arden and earl Grosvenor, Friday was fixed for the motion.

## HOUSE OF COMMONS.

### *Monday, July 4.*

NORTHERN LIGHT-HOUSES BILL.] The House having resolved itself into a Committee, on the Bill for enabling the commissioners of the Northern Light-houses to purchase the island and light of May, at the entrance of the Firth of Forth, and for amending several Acts in regard to the Northern Light-houses,

Mr. *Finlay* objected to the principle of making the expence of the new light on the isle of May fall on vessels that had no advantage from it. He thought that it should be paid by an increased rate on those vessels that navigated on the east coast of Scotland.

Mr. *Croker* observed, that hitherto the northern lights were managed by one commission, and much the greater number of light-houses were on the west coast of Scotland. It would be found difficult, if not impossible, to proportion exactly what every vessel should pay to each light-house separately. The charge had therefore been paid to the common fund which supported them all. Those who navigated the western coasts of Scotland, had hitherto all the advantage, as they paid less money, and had more light-houses. Those who navigated the eastern coasts, and who had paid most money to this fund, were entitled to have a good light on the isle of May, which should be paid from the same fund. They had been paying a long time towards the light-houses on the western coast; and it was but just that this light, which he knew to be necessary, should be paid out of the general fund.

Sir *W. Curtis* spoke to his knowledge of the necessity of a new light on the isle of May.

A long conversation took place, and the committee divided, when there was a majority of 73 to 30 in favour of the Bill.

THE PRINCESS OF WALES.] The Chancellor of the Exchequer moved the order of the day, for the House to resolve itself into a committee, on the documents upon the table respecting her royal highness the Princess of Wales. The question having been put from the Chair,

Lord *Castlereagh* observed, that if in the committee it should be deemed expedient to make an augmentation of the income of the Princess of Wales, he was empowered to give the royal assent to such augmentation.

Mr. *Tierney* begged leave to put one question on a point of form, before the Speaker left the chair. He doubted whether it was regular, without any message from the crown, and without any distinct proposition, for the House to resolve itself into a committee. He did not think the papers upon the table afforded a sufficient ground for such a proceeding.

Lord *Castlereagh*, not appearing to comprehend the nature of the question, replied, that if the Princess of Wales did not think fit to accept the augmentation to be proposed in the committee, it would be in the power of her Royal Highness to refuse it.

Mr. *Tierney* repeated his question. He thought it would be irregular for the House to proceed to the consideration of this subject without a message from the crown, or some other distinct information before it.

The *Speaker* said, that it was a matter entirely for the decision of the House, whether the documents presented upon this subject, bore upon the face of them sufficient ground and authority for the proceeding now suggested. He was not aware that a question of this kind had ever before occurred in the history of parliament, and of course, therefore, the House would not expect from him any opinion. No grant of the public money could be made but by the royal assent; the only case that had any resemblance to the present was that of the 4½ per cent. duties.

Mr. *Tierney* observed, that all he could learn from the Speaker was, that this was a new case upon which the House was to make its own decision. There was certainly nothing in the papers that would raise any money question: they contained no reference to any grant of money: all they amounted to was, an agreement between the Prince and Princess of Wales, to separate in 1800, and another agreement in 1809, respecting an allowance then to be made to the Princess, upon condition, that if she incurred debts by exceeding her income, they were to be defrayed by act of parliament. It could not be said that there had been any such exceeding since that period; in short, nothing to authorize this novel mode of proceeding. The usual mode was for a message to be sent down, desiring the House to enable the crown to make any addition. He saw no reason why the noble lord should in this instance have gone out of the established practice, which had been pursued on every occasion when grants had been made to any branches of the royal family. There were but two modes in which these matters could be regularly discussed, either by moving an Address to the crown, or by bringing a message from the crown. The precedent that the noble lord was now about to set, might be attended with the most mischievous consequences. If it were a new case, a new remedy must undoubtedly be provided.

Lord *Castlereagh* observed, that in all cases where grants had been made to the junior branches of the royal family, the most usual and most natural way had been by message from the throne; but he did not think the House would judge it expedient to follow this precedent on all occasions, where an allowance, under circumstances like those of the present case, had already been made. In cases where the crown was addressed by parliament, the occupant of the throne was not supposed to be acquainted with the object. The question had been already raised in parliament; the disposition of the House to make an additional allowance was well known; it was not, then, unnatural or improper in the crown, to give its assent that the question might be brought under the view of the House.

Mr. *Tierney* begged the noble lord to inform him of what it was in this case that the crown took notice? It was all very well for the noble lord to say that there was a general feeling in the House in favour of an augmentation,—but what was the fact? One single member had made a motion upon the subject, which was afterwards withdrawn. Did this look like a general concurrence in the House? The question he wished to be answered was, Of what it was that the crown took notice?

Lord *Castlereagh* added, that the crown possessed so much knowledge of the fact, as to order the papers to be laid before the House. His lordship did not see any objection to any member making a motion on the subject, the consent of the crown having been given, and in the exercise of his discretion he wished to make such a proposal to the House.

Mr. *Tierney* replied, that no answer had been given to his question. The royal assent having been given, any member, it was true, could make a motion; but why were the papers upon the table referred to the committee before that assent was known? There was no information before the House relating to any question of money. He requested the opinion of the Speaker.

Lord *Castlereagh* remarked, that he saw no objection to referring the information to a committee of the House. What was to be done in that committee was another question: it might be a question whether upon such a basis the House could found a measure like that which was now to be suggested.

Mr. *Wynn* thought that the better way would have been for the House to resolve itself into a committee on the establishment of the Princess of Wales. His principal object in rising was to ask the noble lord on what precedent he founded his motion? He had understood him to say, on a former occasion, that it was consistent with the practice of parliament, though not in the best times.

The *Speaker* then stated his opinion. The case was admitted to be entirely novel; all that was analogous to ordinary proceedings was, that certain papers, by royal command, had been laid upon the table. It was competent, then, for any member to move that those papers should be taken into consideration; but if the object was a grant of money, the recommendation of the crown was necessary. Whether these papers, so referred, would afford a sufficient basis, was not a question for his decision, but he knew of no irregularity in referring the papers to a committee, or why the crown might not be supposed to know the contents of papers that it had ordered to be laid upon the table. It was impossible to judge in this case but by its analogy to the ordinary proceeding.

Mr. *Tierney* said, he would submit to the doctrine laid down by the Speaker, if the papers on the table had any reference to a grant of money.

Mr. *Whitbread* said, that the difficulty arose from the premature motion of the noble lord, who ought to have waited until the House was in a committee, before he stated that he was commissioned to give the royal assent. The mode of proceeding that night adopted, was certainly not the most respectful to any individual, but more particularly to the Princess of Wales. When the noble lord on the night of the discussion of this subject, announced the various documents that had passed, he certainly had mentioned in terms a formal deed of separation, but among the papers upon the table no such paper was included. The noble lord had asserted, that it was drawn up by the highest legal authorities of the day, but it turned out to be nothing more than a pecuniary arrangement for the augmentation of the income of the Princess of Wales to 17,000*l.* by quarterly payments, and providing that, if her Royal Highness should exceed her income, such excess should be defrayed by act of parliament; although, in another part of the same instrument, the Prince was made liable thereby, disproving the assertion, that it was drawn up by the most eminent legal authorities. It was but justice to state, as he did then assert from the best authority—authority which he could not doubt—that so far from any cause having arisen for the motion of that night, the fact was, that the Princess of Wales had made such œconomical arrangements to meet the difficulties of the times, that at the present moment she was not indebted to the extent of a single shilling. The princess had made no call upon parliament or upon the Prince for assistance, and she had given no authority for any application for the increase of her income. Before the House went into the committee, he deemed it right further to state, what had been the pecuniary situation of the Princess of Wales up to the present time. The Princess of Wales arrived in this country in 1795, expecting to participate in all the splendour of the heir apparent of the British throne; but very shortly afterwards, from circumstances which it was not necessary to recapitulate, a separate establishment was formed for her Royal Highness, which was paid by the Prince of Wales until 1800. In that year it was thought fit to make arrangements, limiting the expenditure of the Princess of Wales, When she resided in Carlton House, with an establishment provided for her, she was allowed 17,000*l.* per annum, exclusive of 5,000*l.* pin money, allowed by act of parliament; but upon the separation, her whole income was reduced to 12,000*l.* a year: out of that limited sum, not being able to pay the necessary expences of furniture, plate, and linen, for a new and distinct establishment, considerable debts were incurred; and it was agreed by the minister of the day, to recommend to his Majesty the payment of those debts; but the provision being made near the time of the death of Mr. Pitt, the discharge was not completely accomplished. Afterwards, the Princess of Wales had the benefit of the advice of Mr. Perceval, at which time the debts altogether amounted to 51,000*l.* and a fraction. The Prince of Wales agreed to take upon himself the payment of 49,000*l.* including the balance remaining unpaid under Mr. Pitt's arrangement. At this period also, the income of the Princess of Wales was augmented to 17,000*l.* per annum, and the excuse made for the smallness of the previous amount was, the difficulties in which the Prince of Wales was involved, which reduced his own income to 24,000*l.* It must be confessed, however, that these embarrassments were in no respect to be attributed to the Princess of Wales, and she had, on separation, a right to expect such a provision as became the rank she held. The hon. member begged to take this opportunity of obliterating the impression which the noble lord had made upon the House and upon the country, by his solemn assertion, that a formal deed of separation, drawn up by the first legal authorities, had been agreed upon by the Prince and Princess of Wales, and sanctioned by the authority of the common parent of the parties and of the people. The truth was, that no such instrument had ever been signed, nor would the Princess of Wales have put her hand to any such document. When, however, the income of the Regent was increased to 60,000*l.* it was required that some addition should be made to that of the Princess of Wales, which then was limited to only 12,000*l.* per annum. In consequence, in 1809, that 12,000*l.* was increased to 17,000*l.* The rapid rise in the value of all articles of consumption was felt by all, and on this ground applications had been made by other branches of the royal family for additions to their salaries: the Princess of Wales, however, had met these difficulties by other means; she had adopted economical arrangements by which the interference now proposed was not necessary, and Mr. Whitbread believed never would be required. She had not exceeded her income, and had neither suggested, directed, authorised, nor sanctioned any application to parliament for pecuniary assistance. Thus much he had thought it necessary to state before the House went into the committee.

Lord *Castlereagh* said, that he should postpone some remarks upon what had fallen from the hon. member until after the Speaker had left the chair.

Mr. *Rose* supported the motion for the House going into the committee.

The *Speaker* observed, upon a confusion of terms employed in this discussion. The consent and recommendation of the crown were totally distinct; the proper phrase in this case was certainly the latter.

Lord *Castlereagh* said, that he was authorized to employ the word 'recommendation' in its largest sense.

The Speaker then left his seat, and the House went into the committee.

Lord *Castlereagh* rose, and spoke as follows:—It is my wish, before I proceed further into the subject, to correct some misapprehensions as to the nature and extent of the income of the Princess of Wales, which have gone abroad at various periods, but which do not vary the result. The hon. member has repeated the statement made by an hon. gentleman (Mr. Methuen) on a former night, that previous to the year 1800, the income of the Princess of Wales was 17,000*l.* besides 5,000*l.* for her privy purse, paid out of the Exchequer. If I am correctly informed, drawing my intelligence through the most authentic channels, the Princess of Wales, previous to the year 1800, had no fixed annual income, and that after that year 12,000*l.* were allowed. While her Royal Highness continued to reside at Carlton House, her fixed income was only 5,000*l.* allowed by act of parliament, her other expences being paid out of the general fund for domestic charges, as the bills of the Prince of Wales. It is entirely a mistake to suppose, that upon any occasion I spoke of a formal deed of separation: that which amounted to the same thing was signed in 1800, which first established a fixed income for the Princess of Wales. It is not the fact that the Princess of Wales was allowed 22,000*l.* before she quitted Carlton House; but it is true, that on leaving it 12,000*l.* a year was granted, not as any deduction, but as a new arrangement, and a fixed income. I must repeat, what I said upon a former night, that, considering the existing circumstances of his Royal Highness, this allowance was as liberal or more liberal than any individual so situated would have given; it exceeded one quarter of his whole income. I will not enter now into any arguments respecting extravagancies on either side, but on the part of the Prince of Wales, I do maintain, that he acted in this engagement with the same liberality that has ever marked his conduct towards the Princess of Wales. He took upon himself, in 1809, the payment of 49,000*l.* the debt of his wife, who lived in a state of separation, and rather than allow her creditors to suffer, he put himself to great personal inconvenience. With respect to the amount of the debts of the Princess of Wales, the hon. member and the House will see that if the sum of 49,000*l.* paid in 1809, be divided into an annual income between that date and the separation in 1800, it will appear that the actual income of the Princess of Wales was more than 22,000*l.* per annum. This was exclusive of the sums paid out of the droits of Admiralty, amounting to 32,000*l.* and 6,000*l.* The actual reduction, however, of the Prince of Wales's income, from 1800 to 1809, was 22,000*l.* per annum. It now came to the question, what addition it was fit to make to the revenue of the Princess of Wales, and what sum it was expedient for parliament to grant?

At the time the arrangement was made

in 1809, it was intended to be final and binding upon the parties who treated, as in a state of absolute and complete separation. However conclusive it might be upon them, it does not, however, preclude parliament from interfering to enable the Princess of Wales to maintain an establishment more suited to her station in the country.—The measure, which under all the circumstances I think most desirable, is to raise the income of the Princess of Wales to that point, to which it would be raised in the event of the demise of the Prince Regent; for, without entering into legal details as to the nature of the separation, it is universally known to be as complete in fact as any separation which can take place between two persons. As, therefore, the Princess of Wales cannot be in the enjoyment of those advantages which, if both these illustrous persons lived together, she would receive, and as it is not within the province of parliament to investigate the causes of these differences, nor consistent with the interest or dignity of the royal family that any question respecting their differences should be entertained in this House—it seems consistent with justice, that her Royal Highness should be placed in the same situation pending this separation, in which she would stand in the event of another calamity. By the proposition which I shall submit to the committee, the income of her Royal Highness will thus be raised to a net amount of 50,000*l.* per annum. The manner in which I wish to propose this income to be payable, is, that the whole charge of it should rest on the consolidated fund, instead of being in part issued from the income of the Prince Regent, and in part from the Exchequer, as is the case at present; and that the public shall be indemnified to the amount of the sum which is at present paid to the Princess of Wales, out of the income of the Prince Regent.

As to the nature of the arrangement formerly made between the Prince of Wales and the Princess, the object was, that his Royal Highness should not be, subsequently to the signing of that paper, liable to the debts contracted by the Princess. It is true that it was ouly on the generosity of his Royal Highness that the creditors of the Princess had any claim; as they had not complied with the rules of the law enacted for the regulation of the Prince of Wales's income, in which it was expressed that unless all debts were given in within three months after they had been contracted, they should not be re-claimable. Thus it was to the generosity of his Royal Highness, that the creditors of the Princess of Wales were indebted for the payment which has been alluded to, and not to any want on the part of his Royal Highness of legal protection. But his Royal highness was not secure against being liable to the future debts of the Princess, as he might at any time have been obliged to pay any debt contracted by the Princess, if her creditors had taken the trouble to give in their claims to the Prince within the stated time. It may be doubted, indeed, whether it would not have been a sufficient bar to the recovery from the Prince of all debts contracted by the Princess of Wales, that the two illustrious persons were notoriously in a state of separation, and that her Royal Highness had a separate allowance assigned for her sustenance. If in such a case, independently of all deeds of separation, the creditors of the wife could not recover *à fortiori* with a deed of separation, they could not have any claim. But it was the peculiar situation of the Prince of Wales at that time, that, for the purpose of justice to his actual creditors, the parliament had taken away from him the ability of incurring debts, and from entering into any deed which might affect his income. It was thus that his Royal Highness required the protection of the law more than any other subject, and it was to this purpose that the paper which has been presented to the House was drawn up, and his Majesty's signature affixed, not only as a proof of the separation of the illustrious parties, and the separate maintenance, but that there was not only the separation *de facto*, but such an improbability, or rather impossibility, that a termination of this separation should take place, that his Majesty was induced to lend his sanction to the deed of arrangement. From motives of delicacy, his Royal Highness had at the same time undertaken to pay the debts previously contracted by the Princess, with the assurance on the part of his Majesty, conveyed in the paper which has been mentioned, that in future cases, if any such occurred, he should be allowed to seek protection from parliament.

As to the nature of the regulations of the measure, it will be unnecessary for me to detail them minutely, until the Bill itself shall be submitted to the consideration of parliament. It will not be advisable to place her Royal Highness under the same disability in which the parliament has thought fit to place the Princess of Wales, because in fact no debt has been lately incurred by her Royal Highness to call for the interference of parliament. Another object of the measure I shall propose is, to protect the Prince Regent from the payment of any debts which may in future be contracted by the Princess of Wales, as her Royal Highness will now have a distinct separate income charged on the consolidated fund. I wish to propose that the net annual sum of 50,000*l.* be granted to the Princess of Wales, and that the 5,000*l.* per ann. and the 17,000*l.* per annum, which she at present enjoys, be withheld from the Prince Regent's income. His lordship having stated that this was the general outline of the measure he should propose, concluded by moving this Resolution—"That it is the opinion of the Committee, that his Majesty be enabled to grant the annual sum of 50,000*l.* out of the consolidated fund of Great Britain, for the maintenance of her royal highness the Princess of Wales."

Mr. *Whitbread* rose to set the Committee right as to the past income of the Princess of Wales, and observed, that she was not guilty of the embarrassment created by the act of parliament to which she was not a party. He could not illustrate the matter better than by a statement of the various arrangements which had been made for the payment of the Prince of Wales's debts. Before the Princess of Wales came to this country, she expected to find the Prince of Wales in the full enjoyment of the splendour due to his station, as the second final arragement for the payment of his debts had been made previous to her arrival. Shortly after her arrival in this country, it was found impossible that his Royal Highness could continue his establishments in the dignity in which parliament had expected them to have been maintained. In the consequent reduction of the establishments, the Princess of Wales necessarily shared, which, after two final arrangements, she could not have expected. Seventeen thousand pounds were, however, at that time set aside for her, whether paid into her hands or not, besides the 5,000*l.* which was legally due to her as pin-money, and which was vested in the hands of lord Cholmondeley and lord Thurlow. In 1797 the separation was determined on, and here he should ask, why the term separation was so much dwelt on by the noble lord? Did he mean to found any legal measure on such a term, or to prevent her Royal Highness from the enjoyment of any of her just rights? Her Royal Highness was no party to a use of this word, nor did he agree that the paper which had been laid on the table, amounted to a deed of separation. The Chancellor himself had expressed the gravest doubts, whether any instrument of separation could have a legal effect. When the Princess of Wales had been limited to 12,000*l.* a year, it was said that it was a great act of generosity to increase her allowance. But it was just to remember, that when the Princess left Carlton-house, she had to provide her furniture, plate, and house-rent—for the only articles which were given to her from Carlton-house, were some knives and forks. It would not, therefore, seem any great act of generosity that this allowance was increased. It would be seen how moderate this allowance of 12,000*l.* a year, to which the necessity of the Prince of Wales had reduced her Royal Highness, was, when it was remembered that by an application made on his behalf on the 5th of December, 1797, by lord Cholmondeley, her Royal Highness was offered, in the event of a separation, a house in town with 20,000*l.* a year, besides the 5,000*l.* settled on her. In 1800, however, when the separation took place, 12,000*l.* was the extent of the allowance to her Royal Highness; and yet surprize was expressed that a debt should have been contracted, and paid out of the income of the Prince of Wales, to the amount of the 6,000*l.* paid for the relinquishment of a house in Greenwich park. All that was necessary on this part of the question, was to relieve her Royal Highness from the imputation of extravagance, and from the idea of her having entertained any wish or desire of the means of gratifying that propensity, or that such was the intention of the applications which had been made to the House. She had been satisfied with the allowance which she had possessed, nor had she any disposition to have it increased until she had known the sense of the House on the subject. No such intention was entertained by any one who had applied to parliament on the subject of her Royal Highness, and he could distinctly state, that the Princess had never authorized any one, directly or indirectly, to make any proposition on the subject of icreasing her income since the arrange- ient of 1809.

Lord *Castlereagh* observed, that though n arrangement, which was considered inal, had been made respecting the 'rince of Wales's debts, yet as they had een contracted, it was necessary for hem in some manner to be paid. He had iot mentioned the sum of 6,000*l.* for the iouse at Greenwich, as having been paid ut of the Prince of Wales's income: it ad, in fact, been paid out of the droits of Admiralty. But 6,000*l.* was paid out f the Prince of Wales's income, being he balance left unpaid on those debts in- ended to have been paid out of the droits f the Admiralty, but which were only aid from that fund to the amount of 2,000*l.* If the amount of the debts of the 'rincess paid by the Prince, had been dded to her income, it would have mounted to 22,000*l.* per annum, with remainder of 6,000*l.* The Princess lso had never been at the entire ex- ence of her places of residence, for laces of residence, with considerable out- t, had been assigned to her by his Ma- esty; though he did not intend to found ny argument on the statement he had ade, yet he thought it just that the Prince Regent should have full credit for the exer- ions which he had made for the Princess. Ie repeated, that never any husband sur- endered up so much for a wife as his Royal Highness had done; and that, vhatever was the cause or result of the eparation, it had never been his intention o visit the Princess with any pecuniary nconvenience.

Mr. *Whitbread* observed, in explanation, iat between 26 and 27,000*l.* had been aid for the Princess out of the droits of ie Admiralty, and not 32,000*l.* which vas the amount of all the debts intended o have been so paid.

Mr. *Tierney* did not wish to trespass on ie time of the Committee, but he must ay, that he understood the separation be- ween the Prince Regent and the Princess f Wales, simply as a separation arising om incompatibility of temper, or some ich reason, and no farther. He lamented iat the difference had run to such an ex- nt, but he should decline all comments pon it. He offered to the noble lord his ianks for his achievement. All he had lready done was less than this, by which e had advised his Royal Highness to re- ommend a suitable provision for the rincess of Wales. By this proposition, the rank and dignity of the Princess of Wales were recognised by parliament; and that step happily having been taken, he hoped that, on the approaching day of public thanksgiving, there could be little doubt, that her Royal Highness would find her place in the procession, though not particularly near to the Prince Regent, and her place in the cathedral: than which nothing could be more pleasing to the House and to the country. One word as to the mode of payment. When he said that the Princess, if apart, was entitled to 50,000*l.* a year, he added, that if he had the honour of being her adviser, he should recommend her not to burthen the country with so large a sum. He should think, perhaps, that 28,000*l.* would be what she might be disposed to receive. But supposing the 50,000*l.* granted and accepted, he did not understand the arrangement respecting the consolidated fund, on which it was proposed to charge it in one sum, as it was said, for greater convenience; and in lieu of the 17,000*l.* and the 5,000*l.* a year. But what, then, became of the remaining sums from the fund? The Prince of Wales had 60,000*l.* a year from it for his father's and his own life. The Prince could not be in want of that sum, except in the case of the King's recovery. He now received 60,000*l.* per annum, voted to him only as Prince of Wales; but he was otherwise provided for by the Civil List, &c. He wished to know why this might not be taken away altogether, and the public be relieved of the burthen? Why not transfer fifty of the 60,000*l.* to the Princess? The noble lord thought the Prince, under present arrangements, could have no debts; yet it was said he retained a sum to pay debts. It would appear that the Prince of Wales made the charge, and that the Princess was to take all the odium of it. But the Prince had encumbrances. He should never argue on that topic. All he would say was, if it were so, and there was no fund, to pay all off at once, and above board, as had been done for his royal father, and let his Royal Highness live like the sovereign of this great empire. In justice to the Princess of Wales, he must say, if she accepted the 50,000*l.* a year, that it was not her charge on the country; but that it was necessary, from another sum being devoted to purposes unknown to parliament.

Lord *Castlereagh* disclaimed any credit to himself for the proposition which he had made. More credit was due to the hon.

gentleman whom he did not see in his place (Mr. Methuen); for if the advocates of the princess had before fairly said that an increase of her allowance was the object, there would have been no difficulty on the subject. In answer to what had fallen from the right hon. gentleman, he should say, that the last occasion on which he should endeavour to bring together parties who felt mutual repugnance, would be on an occasion where devotion might be interrupted by feelings of the nature alluded to. As to the income formerly granted to the Prince of Wales, it had been applied since the time of the regulation which first took place after the Regency, to the liquidation of the debts of the Prince Regent. Since that time the liquidation had proceeded; not one new debt had been charged on that fund, and it was the intention of the Prince Regent that no new debts should be charged on it, and when the present debts were liquidated, it would revert to the country.

Mr. *Tierney* said, he was satisfied, now he understood that the fund in question existed only till the Prince's debts were paid, although he did not know when that would be, or what the debts were. As to the appearance of the Princess on the Thanksgiving-day, he did not ask the noble lord to work impossibilities, but it was reasonable that when the House of Commons had voted to the Princess of Wales so large a sum as 50,000*l.* a year, that she should be present at a solemnity at which the Royal Family, Peeresses, Lords and Commoners were to be present. He did not expect any reconciliation, but it would be pleasing to the public to see the two royal personages together, and he earnestly hoped, that the rank of the Princess would be respected on that occasion, because, otherwise, so large a vote would savour of a bribe or a compromise. He was persuaded that the noble lord could mean no such insult, and that the Regent was incapable of it. The proclamation commanded that all persons should go to church on Thursday, and that such as did not, would fall under his Royal Highness's severe displeasure. What, then, was the Princess to do? Was she to be shut out from the cathedral church? He hoped not; but that if not in the same pew with the Prince, some place would be found for her Royal Highness.

Mr. *Whitbread.* I again disclaim what has been imputed by the noble lord. That money has been my motive in bringing forward these discussions, I again peremptorily deny.—I had it in contemplation t obtain for the Princess of Wales justice— I had it in contemplation to obtain mercy— I had it in contemplation to obtain th protection of this House, and the protection has been obtained. The member fo Wiltshire (Mr. Methuen), who first mentioned the proposition of a vote on a forme night, disclaimed all authority from th Princess of Wales. When first she hear of the proposition, she said, " I shall no be allowed to starve in this country— shall not be obliged to beg my bread—an I will not compromise my rights for an thing which can be offered to me." Whatever she accepts, it must be in th contemplation that she gives up nothing c rank, of dignity, and character, which, b the grant of this separate and ample—to ample allowance, it is evident she holds i the eyes of all the nation. It is matter c consideration, whether her Royal Highnes shall be admitted within that Cathedra where all of high rank are to be admitted If an application made on her behalf wer refused, how would the nation brook thi indignity? If there be found one to advis a denial, and if it be intended not only t exclude her Royal Highness from th drawing-room, from matters of ceremony but from saying her prayers with the nation—what a mere mockery will the proclamation of the Prince Regent and ou Resolutions be, if, when we pray for forgiveness of our trespasses as we forgiv others, there is one person in the kingdom shut out—not from forgiveness only—bu from justice. As to the provision which i to be made by this vote, it is large—much larger than any of the friends of her Roya Highness could have contemplated, i any such idea had entered their minds It is for her Royal Highness to consider whether she thinks proper to accept th whole of it. I have no doubt that she wil act with dignity and propriety; and i she calls in advisers on the subject, I hope she will call in such as will support her in her own honourable ideas.

Mr. *Canning* felt great satisfaction in voting for the proposition, the rather because he trusted it would be final. By the act of that night, they were following up the manifestation of their sentiments a formerly expressed, in a manner that could not be mistaken. He should have abstained from speaking, but for some observations from the hon. gentleman opposite, which leant rather in favour of her

Royal Highness's declining the grant. He had seen but one course in this business, and that was to abstain from particular points, whereon they could come to no decision. If her Royal Highness was advised to object to the grant, it would seem as if she looked to some future dissensions; he hoped, therefore, on all accounts, that the grant, such as the wisdom of the House voted it, would be accepted by the Princess in all its extent. It was for her interest and her honour to avoid any other construction, than that she rested implicitly on what had passed.

Mr. *Ponsonby* supported the motion; but refrained from giving any opinion of the cause of it.

The Resolution was agreed to unanimously.

LONDON PRISONS BILL.] Mr. *Holford* moved the second reading of the Bill. An hon. alderman, he said, had, on a former evening, represented this Bill as a subversion of the whole constitution of the city of London. He could not conceive how the constitution would be subverted by calling in other members of its corporation to assist in superintending those gaols. Notwithstanding all that had been said about the rules of the gaols where criminals were confined, he found no other rules but what were drawn up by the gaolors. As to the regulations, the state of most of those prisons, and the Borough compter in particular, called most strongly for redress. He did not mean to cast censure on the aldermen, but he supposed that, from their many other avocations, they had not time to visit, with sufficient attention, those prisons.

Sir *W. Curtis* contended, that the present Bill was not justified by any thing which appeared on the face of the Report. In a short time the magistrates of London would have it in their power to liberate 3 or 400 prisoners from Newgate, and then to provide for the better accommodation of prisoners in their other gaols. If the present Bill passed, the aldermen must feel degraded and disgraced. They must feel that a higher authority had been placed over them. To such a degradation they had no right to submit. If they had done amiss, or had forfeited the confidence of the House and of the public, let them be brought before a competent tribunal, and there exposed: but let them not be stigmatized without proof or cause of any kind. He concluded by moving, as an amendment, that the Bill be read a second time this day six months.

Sir *James Shaw*, in seconding this motion, entered into an enumeration of the comforts and improvements in the situation of the prisoners, lately introduced by the magistrates of London, by which he contended, they were in point of diet, rendered infinitely more comfortable than the generality of the poor inhabitants of Yorkshire, of Ireland, or of Scotland. The prisoners were visited daily by the sheriffs; weekly, by the alderman sitting in rotation at Guildhall; and eight times a year by three aldermen, one of whom had passed, and two of whom had not passed the chair. He asked, could any thing be more complete than this? If the hon. gentleman, however, wished to point out any thing amiss in the direction, let it be shewn, and the only desire of the magistrates was that it should be remedied.

Mr. *M. A. Taylor* declared, he had never in his life seen a worse-managed gaol than that of Newgate. When he, on a late melancholy occasion, attended to that prison an unfortunate being, who had deprived the House of the services of one of the best of men, there literally could not be found a room in which to place him. Let the House compare the state of Newgate with the state of the gaol of Gloucester, or of that of York. If the magistracy of London spent on the prisons of the metropolis only a fiftieth part of the money they expended in magnificent entertainments, the unhappy prisoners would soon be in a very different plight. That something ought to be done was evident.

Mr. *Bathurst* allowed that something ought to be done. But the question before the House was, whether the particular Bill that was proposed was the best measure that could be adopted. In his opinion, a great part of the existing evil arose from the crowded state of Newgate, and would be remedied when the prisons now in progress should be completed. He could see no good that would be gained by taking the management of the prison out of the present hands. It would be a great reflection on the magistracy of London thus to supersede them in the exercise of their functions. He admitted that many county gaols were in much better condition, but this was solely attributable to the subdivision of the prisoners which took place in them, a practice which in the existing state of Newgate could not be resorted to.

Mr. *Bennet* contended, that want of room was not the only evil experienced in Newgate. To this were to be added want of food, and want of clothing. The evidence before the committee fully established the fact, that the prisoners laboured under these privations.

Mr. *W. Smith,* while he professed himself unable to see why the aldermen and the common councilmen should be considered as antagonists under the Bill, and while he contended, that, on the contrary, they would soon act in perfect concert, admitted that it would be adviseable for the hon. gentleman to withdraw his Bill for a year, in order that it might be better digested, that the individuals to be selected for the management should be better considered, and that the effect of the gaols now building should be fully ascertained. He hoped also, that as the attention of the magistracy had been so pointedly called to the subject, many important reforms would be adopted. If, however, contrary to his expectation, the evil should still exist next year, neither the antiquity of the present constitution of the city, nor any other consideration, should induce him to withhold his assent from some legislative measure of correction.

Sir *Thomas Acland* said, it was evident from what had been already stated, that many most glaring defects did not originate in the want of room, but in the want of attention in the magistrates. In the Borough compter, that wretched prison, so late as Saturday last, a man was obliged to lie the night through on boards for want of blankets. It had been objected by a right hon. gentleman, that there were no regulations in this Bill for the administration of the prison; but the Bill empowered a committee to make such regulations as should be deemed necessary. The many improvements of late made in county gaols had not been made by Acts of parliament, but by country gentlemen meeting together, and putting their shoulders fairly to the work. With respect to the Borough compter, on the 18th of September, application had been made to the court of aldermen on behalf of the prisoners, as there were only 12 rugs for 22 persons. The number of persons was afterwards 35; and yet, during the whole of the last long and severe winter, not the smallest attention was paid to this application.

Mr. *Holford,* in reply, said he saw no reason why the common council should not be associated with the aldermen in this, as well as other matters, such as the building of prisons, &c.

The House then divided, for the second reading, 23: against it, 18—Majority, 5. The Bill was read a second time accordingly.

IRISH SUPERINTENDING MAGISTRATES BILL.] On the motion of Mr. Peel, the House resolved itself into a committee upon the Bill for preserving the peace in Ireland; and the right hon. gentleman moved a clause, stating the allowances which he proposed to be granted to the superintendant magistrate, special constables, and clerks to be appointed to act under the Bill.

Sir *F. Flood* spoke against the provisions of the Bill, while he bore testimony to the zeal and activity of the author of it, and that of the government with which he was connected. His right hon. friend and the Irish government were, in his judgment, entitled to the highest praise for their endeavours to preserve the peace of Ireland, and especially in suppressing that obnoxious institution the Catholic Board. But while he acknowledged this merit, he deprecated any attempt to cast an imputation upon the general tranquillity and loyalty of the Irish nation, to which he was sorry to understand that Great Britain was not generally partial. That four-fifths of Ireland was as loyal and tranquil as any part of England, he was fully prepared to assert, and therefore he disapproved of any intimation to the contrary, which this Bill appeared to convey. The hon. baronet animadverted upon the several clauses of the Bill, especially the provisions authorising the lord lieutenant, of his own will (without any representation from the magistrates) to declare any district in a disturbed state, to subject that district to a superintendant magistrate, with a salary of 700*l.* a year; such other officers to be paid at the expence of the county in which such district might be placed. Of these provisions the hon. baronet expressed his decided disapprobation.

Sir *H. Parnell* suggested the propriety of provisions authorizing magistrates in Ireland to appoint petty constables as they were appointed in this country, and also for the constitution of proper places for holding quarter sessions in the several counties.

Mr. *Bankes* submitted to the consideration of government, whether it might not be necessary to adopt a stronger measure than this Bill imported, for the preservation of the peace of Ireland. If there should be occasion for such a measure, he trusted that it would be brought forward in due time before the conclusion of the session.

Mr. *Peel* said, that it might be necessary to submit some such proposition to the committee, as his hon. friend had alluded to, but he was unwilling to mix any temporary measure with the consideration of the present Bill, which was brought forward with a view to the permanent preservation of the peace in Ireland, adding that Ireland was certainly not in such a state as could be wished. The present measure, however, had no reference to such a consideration.

The clauses were agreed to; the House resumed, and the Report was ordered to be brought up to-morrow.

ORDNANCE ESTIMATES.] The House having resolved itself into a Committee of Supply, for taking into consideration the Ordnance Estimates,

Mr. *R. Ward* stated, that considerable reductions would probably be expected in the estimates which he had to bring forward. In fact, a reduction would be found in the present year of 1,500,000*l.* This sum amounted to one quarter of the whole expence. It would be recollected that half of the year had passed in war, and there had not been an opportunity to reduce the different expences immediately. It was the beginning of April before it was known that Paris had been entered by the allies; soon after Buonaparté abdicated, and on the 19th of that month, orders were issued by the Master-General of the Ordnance to reduce the establishments in every possible way. The military department had been reduced one-fourth; the number of horse one third; and in the course of the year they would be reduced another third—that was from 7,000 to a third of that number. He would not pledge himself to an exact estimate of the future reduction of expence, but he would offer a rough calculation of the probable reduction under the peace establishment. This he conceived would be one half, exclusive of the total reduction of all the foreign corps. In the engineer corps all the officers would be retained. This arose from the peculiar nature of that service, which required a long and laborious course of education, and which, if once suffered to fall into neglect, could not easily be replaced. It was not possible to speak in too high terms of the skill, the industry, and gallantry of the officers in this corps. He would next advert to what might be considered as an infant service, which had, however, arrived at a state of manhood; he meant the rocket corps. For this service, and for the wonders it had achieved in raising the military character of the country, we were indebted to an hon. friend of his, whom, as he did not see in his place, he would name, colonel Congreve. The hon. member then read several extracts from officers in the army, to shew the importance of the services which this corps had performed in Spain, and particularly at the passage of the Adour, where 40 men armed with rockets had put to flight 3,000 of the enemy. The whole of the officers in this corps would be retained, but there would be a reduction in the number of men. In the works at Woolwich there had been a considerable reduction, and there would have been a greater, but from the necessity of giving the usual orders, and buying up materials as early in the year as possible. The whole amount was 64,000*l.* every shilling of which he thought himself prepared to justify. One article under this head, which it was proper to account for, was 6,000*l.* for barracks. The fact was, that these were intended for a new corps of Sappers and Miners, for whom the barracks at Woolwich were not found sufficient. For the royal powder mills there was a sum of 12,000*l.* which arose chiefly from the improvements which had been adopted in the different mills to prevent explosions. There had been also great improvements, and consequently some expence in the machinery at Woolwich. Of the magnitude and importance of these works, we might judge from the quantity of arms and ammunition which had been sent abroad from the Laboratary at Woolwich, since the year 1808, among which were 834 pieces of cannon, 30,000 muskets, 77,000 barrels of gunpowder, and in the last year alone 320 cannon, 20,000 barrels of gunpowder, 48 millions of musket cartridges, 6 millions of flints, &c. Among the improvements in the machinery were two saws, which had cost from 16 to 20 thousand pounds, and which had already created a saving of near 8,000*l.* After various statements and details, the hon. gentleman concluded with observing, that he should not have detained the House so long, but that he was urged by a sense of duty to give every information and explanation in his power.

The Chairman then proposed the vote of 1,746,000*l.* on account, for discharging the Ordnance Estimates.

Mr. W. Smith and Mr. Bankes testified their approbation of the general view that had been exhibited by the hon. gentleman, though the last-named gentleman thought the peace establishment was larger than either the reason of the thing, or the state of the country, could allow.

Mr. *Wynn* deprecated the idea of keeping up a very large military establishment in this country in time of peace.

Mr. *Calcraft*, without giving any decisive opinion on the subject, thought it not unlikely that a force of from 99 to 100,000 men, including all arms, would be found necessary even in time of peace.

Mr. *W. Smith*, though he was satisfied that the hon. gentleman himself expected to be able to be much better than his word in the way of reduction, yet did not think it desirable that the idea of the expediency of keeping up a large force in the time of peace should be encouraged, as these were prophecies very apt to produce their own accomplishment.

Mr. *Bankes* also deprecated the keeping up a very large force in time of peace.

Mr. *Wynn* again said, that it would not be consistent with the interest, hardly with the safety, of the country, to keep up such a force as 100,000 men.

The resolutions were then put, and carried.

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## HOUSE OF LORDS.

### *Tuesday, July 5.*

Vote of Thanks to the Army and Navy.] Earl *Bathurst* rose, in pursuance of his notice, to move the Thanks of the House to the army, navy, militia, local militia and volunteers of the united empire. The noble earl stated, that at the close of the last war, in 1802, a similar motion was unanimously agreed to. He had no reason to believe that there would be any disinclination to repeat that vote on the present occasion. Nothing had since occurred to lead to any opinion, that the House were not disposed as much as ever to mark with their warmest approbation the conduct of our brave fleets and armies. The battle of Trafalgar, not less remarkable for the splendour of its success, than for the misfortune of the loss which accompanied it, had so destroyed the naval power of the enemy, that they never afterwards had been able to oppose themselves in any force against us. It was followed also by this most solid advantage, that, relieving us from the necessity of great naval effort, it enabled us to make those unexampled military exertions which had mainly contributed to bring the contest in which we were engaged to its late happy conclusion. On the glorious achievements of our army, it could not be necessary to dwell, in order to induce their lordships to mark those achievements with their admiration. There never was a period in the history of any country, in which greater military valour and enterprise had been exhibited. And while on this subject, he could not refrain from observing, that the state of that army did immortal credit to the illustrious personage who was at its head. Without wishing to disparage any one, he must say, that the army was brought to such a low ebb at the time that the noble lord, who preceded his Royal Highness, held the chief command, that it required the utmost exertions of his Royal Highness's zeal, ability, and perseverance to introduce such measures as were calculated to rescue it from that state of destitution. Those exertions his Royal Highness had however made, and the result of a most upright and conscientious discharge of his duty had justified the sanguine expectations that had been formed of it. Of the services of the militia, the officers of whom had for so many years sacrificed the comforts of domestic life to the general good, no praise could be too great. Nor was it possible to speak in terms of too high approbation of the signal services rendered by the various corps of volunteers, all of whom emulated each other in their laudable and patriotic self-devotion. The noble earl concluded by moving, That the House did highly approve and acknowledge the gallantry, zeal, and ability, manifested by the officers and men of the army, &c.

Earl *Stanhope* rose, not to disturb the unanimity of the vote, but to ask the noble lord at the head of the admiralty, how it was intended to employ our brave tars when they should be discharged? Something peculiarly right might be done with respect to them, and in relation to our fisheries. The fish on our coast might be made a source of such riches as no country ever possessed. So productive was this article of food, that in the instance of codsh, one individual was capable of proucing one million. The greatest benefits ould, in his opinion, result from the emloyment of the sailors in these fisheries; nd he had no doubt, that by their exerions the poor would be able to get that or a penny, for which they now paid a hilling.

Lord *Melville*, with all deference to the oble earl, could not see the propriety of iscussing such a subject as that which he ad introduced on the present question.

The motion was then agreed to, *nem. dis.* s were also similar motions with respect the navy, the militia, and the volunteers.

CORN LAWS.] Earl *Stanhope* congraulated the country, that the differences of pinion which existed on the subject of orn seemed to be diminishing. He was esirous to take the same course on this uestion that he had done with the bullion, amely, to move a resolution, with a view o its being printed, and subsequently conidered. The Resolution which he now ntended to move, might be considered fter the report from the corn committee, f that report should be made during the resent session; or if not, on due notice. t was as follows:

"That to provide for the public an mple supply of provisions at all times, is national object of the very first imporance; but that such ample supply cannot t all times be provided, unless due and teady encouragement be given to the growers of corn and grain in Great Britain nd Ireland, so as to enable them to carry on the improved systems of agriculture with advantage, at the same time hat it enables them to sell the produce of heir farms at moderate prices to the conumers. And that, in order to obtain the aid essential united objects, it is highly xpedient that those taxes which bear the ost heavily, either upon the growers of corn and grain on the one hand, or upon he labouring part of the country on the ther, be repealed, as far as the return of eace shall enable us to diminish our taxes, eeping inviolable faith with the public reditors, and providing for a sufficient eace establishment."

The Earl of *Hardwicke* said, he had no bjection to the printing and laying such esolutions on the table, but thought no iscussion of the subject to which they eferred should take place, until the report f the Committee should be before their ordships.

The Resolutions were received *pro formâ*, and ordered to be printed.

## HOUSE OF COMMONS.

*Tuesday, July 5.*

PETITION OF ALEXANDER M'RAE.] Mr. *Peter Moore* said, he held in his hands a Petition from Alexander M'Rae, one of the persons lately convicted of a conspiracy against the Stock Exchange. He begged leave shortly to state to the House, the way in which the Petition came into his hands, and the reasons which induced him to undertake to present it to the House. He considered it to be the duty of all representatives in parliament to be open at all times to communication with their constituents. On this occasion, the petitioner had sought out him in this great metropolis, as his representative in parliament, and found access to him. The petitioner was supposed by the public in general, and by many members of the House, to have gone abroad. The petitioner stated to him, that he was ready to bring forward evidence in support of all the allegations contained in his Petition. He (Mr. Moore) told him, that he conceived it to be his duty to present all petions from every description of individuals, drawn up in proper and respectful language, and that, as he saw nothing exceptionable in his Petition, he would have no hesitation in presenting it. The Petition stated, that a great public grievance and injustice had taken place; that one set of men had been punished for the crimes of another, and the petitioner preferred to come to the bar and prove the allegations contained in his Petition. He prayed to be heard at the bar of the House. He begged leave to assure the House, that the Petition itself and the object of it were totally unknown to the noble lord whose expulsion was that day to be moved, who had no conception either that such a Petition had found its way to him, or that it was his intention to present it to the House.

Mr. *Bathurst* said, as the hon. member had stated the general purport of the Petition, it appeared to him of a nature to call for instantaneous observation without waiting to hear it read. This Alexander M'Rae was one of the persons lately convicted of a conspiracy; and his proposal was no less than to be heard at the bar of the House, against a sentence of a court of justice. The hon. member had stated, that the grievance complained of in the

Petition, was, that one set of men were made to suffer for another, and that some of the persons convicted along with the petitioner were not guilty. The nature of the Petition amounted to this: the House were called on without evidence, or any allegation or statement, that he had applied for a new trial, or of the existence of any abuse at the trial, as a simple matter and an ordinary exercise of their functions, to release an individual or individuals solemnly tried and found guilty by the verdict of a jury. Had the hon. member not stated the particular grievance of which he complained, he should not have said any thing till he had heard the Petition read. But to listen to an application of this kind, was neither more nor less than to sap the foundation of the jurisprudence of the country. Every body knew that the House was open to the highest and lowest subjects of the realm; but this privilege would be abused, were they to allow any individual to come forward and state at the bar of the House, that the sentence of the court below was founded on injustice. The hon. member had only done his duty in presenting the Petition; but the House could never suffer such a petition to be read.

Mr. *Moore* wished the House not to visit upon the petitioner any injustice which he might have done his cause in alluding to his Petition; and if there was any thing wrong in what he had stated, he requested them to lay it on his own shoulders alone.

The *Speaker* observed, that every member on presenting a petition was bound to state his own view of it; and it was then for the House to consider whether they would allow it to be read.

Mr. *Moore* intreated the House to allow him to state the object of the Petition, in the petitioner's own language. He stated that he was competent to explain the whole mystery of the Stock Exchange conspiracy; that in order to rescue from an ignominous punishment an individual who, though included in the indictment, verdict, and sentence of the court, was unjustly accused of participation in the plot, to which he was an entire stranger; he was ready to come forward and state the persons who were really guilty of the conspiracy, and to prove his statement by the testimony of many witnesses; that he had formerly made a similar offer to the committee of the Stock Exchange; that the secretary of that committee at first offered to give him some compensation for this information, but when he found tha it would have the effect of exculpatin lord Cochrane, he refused to listen to him and included him in the trial, as he verily believed, to deprive lord Cochrane of the benefit of his evidence: that he threw himself on the generosity of the House fo protection; and if he failed to establish the allegations in the Petition, that he was ready to deliver himself up to justice.

On the question that the Petition be brought up, being put,

Mr. *Bathurst* said, it was well known that the petitioner offered to reveal his knowledge of the conspiracy for the sum of 10,000*l.* If the petitioner had the means of confirming his testimony at the bar by other evidence, all this might have been adduced at any time; at the period of the trial, or in mitigation of punishment; but instead of this, he had thought proper to come forward with his explanation of the whole of this transaction in the first instance before this House, in order that the House might not proceed on the sentence of the court against a noble lord who had been convicted. He had consented to suffer the punishment of the law, if he should not establish the allegations in his Petition. Then if he made out the innocence of the noble lord, he supposed the House were to address the Prince Regent for a pardon for this individual, who had absconded at the time the sentence was passed, but who now thought it a convenient time to introduce evidence to escape the punishment of the law. It was now, however, too late for him to turn informer.

Mr. *Lockhart* said, if his hon. friend had reflected a moment on the Petition, he would have found that it was impossible to bring it up to any good purpose. The object of it was not only to afford an explanation of the conspiracy, but to clear the character of the noble lord. This was, however, not only not now allowable, but the petitioner was not credible when he came forward as a witness. Had he submitted to the judgment he would have become infamous, and incapable of giving testimony in a court of justice. The House were not bound by the rules of inferior courts; but there was an evident propriety in observing this rule in the present case. The individual who had absconded from justice ought not to be allowed to take advantage of his own wrong, and to offer that to the House which no tribunal in England would receive. His petition to the House ought not to be complied with. Were he allowed to throw out a suggestion, if the petitioner was possessed of this evidence, he might communicate it to the noble lord, and it would be with the noble lord to consider how far it would be advisable in him to state such evidence to the House, and for the House to consider in their discretion if it ought to be received.

The question was then put, and negatived. The following is a copy of the Petition which Mr. Moore offered to present:

To the Honourable the House of Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled. The humble Petition of Alexander M'Rae, lately convicted, with others, of a Conspiracy and Misdemeanour: Most respectfully sheweth,

"That, penetrated with contrition and grief, your humble petitioner approaches this honourable House, truly conscious of the disgrace with which a recent sentence has overwhelmed him, but which cannot diminish his confidence; but such odium will not prevent that attention which marks the conduct of the representatives of this empire, especially when a petitioner most respectfully declares, that, great as his fault has been, his present and sole object is to prove his repentance, and which he conceives he cannot do more effectually, than by an artless and undisguised acknowledgment and minute confession of every thing which relates to that transaction, which has involved him in his present unhappy situation.

"That your petitioner is fully competent to unveil the whole mystery; that he is anxious to do so on grounds of public justice, as well as private feelings, in order to rescue from false imputations an illustrious innocent individual, a member of your honourable House, who, although unhappily included with others in a verdict for a conspiracy, your petitioner will make manifest to have been most unjustly so included and condemned of the participation in a plot, to which he was in every stage a most perfect stranger. That your petitioner solemnly pledges himself to prove this declaration most fully by the testimony of many witnesses; and in support of this allegation, he begs to state that, on a former occasion, he offered a similar disclosure to the Stock Exchange committee, for which their agent offered him a pecuniary consideration; but on the committee finding that the information he had to give went to exculpate lord Cochrane, and to implicate a different combination of men amongst themselves, they rejected you petitioner's information, and included him in the indictment, in order, as he verily believes, to prevent him from giving his evidence on the trial; and, conscious of their iniquity towards your petitioner, they paid all his expences for his appearing and pleading, and consented to wave his entering into the usual recognizances.

"That in order to enable your petitioner to accomplish this purpose, by examination at the bar of your honourable House, or in any other way you may think proper, he throws himself on the generosity of your honourable House, to afford him such protection as is usually extended to persons in his situation; and should your petitioner appear to your honourable House to fail in establishing the allegations contained in this Petition, he freely delivers himself up to receive such sentence as the law may award against him on his late conviction, and with such increased penalty as an attempt to impose on your honourable House would naturally subject him to.

"And your petitioner humbly prays to be heard accordingly. ALEX. M'RAE."

"London, July 4, 1814."

PROCEEDINGS RESPECTING LORD COCHRANE AND MR. COCHRANE JOHNSTONE.] Mr. Broadhead moved the order of the day, for taking into consideration the record of the conviction of lord Cochrane and Mr. Cochrane Johnstone. The Speaker enquired whether lord Cochrane was in attendance. The Serjeant at Arms answered in the affirmative.

The noble lord was shortly afterwards introduced by the Sergeant, who had summoned him from the office of the Speaker's secretary, where he had been conducted on being delivered by Mr. Gibbons, the tipstaff of the marshal of the court of King's-bench, to the Serjeant. His lordship was then desired to take his place.

The Speaker then enquired whether Mr. Cochrane Johnstone was in attendance; and on being answered in the negative, Mr. Skelton, one of the messenger's of the House, was called to the bar. On being examined, he stated that he had gone to serve the order of the House upon Mr. C. Johnstone on the 26th June, at

No. 13, Alsop's-buildings, where he saw a Mr. Moore, who told him that Mr. Johnstone was not there, nor any of his servants in the house. He had lived there before his trial in the court of King's-bench, but had quitted that House just before it came on. Mr. Moore also said that it would be useless to leave the order there, as it could not be delivered to the person for whom it was intended. Mr. Jones, another messenger of the House, stated, that he called with a subsequent notice at the house No. 13, in Alsop's-buildings, on Friday last, and had received a similar answer.

The Speaker said, he was informed there were some honourable members who could give the House information respecting Mr. C. Johnstone. Mr. Graham said that he had seen Mr. C. Johnstone at Calais on the 21st of June last. The same fact was also stated by colonel Kerrison. The Speaker then observed, that the time had arrived for submitting to the House a motion on the subject of the statement just made.

Mr. *Broadhead* then moved, that the record of the conviction and sentence of lord Cochrane be entered as read.

The *Speaker* observed, that the hon. member had thus given the House to understand, that the record of the conviction was the ground of charge against the noble lord. It was for the noble lord, or any hon. member, now to advance what they had to say in his defence.

Mr. *Bankes* thought, that separate motions might perhaps be advisable, as there was no question but the one would be carried of course.

The *Speaker* stated, that as far as he understood the practice of the House, the proceeding of the hon. member was perfectly regular. The record formed the charge. The House would not, however, act, till they heard the members, if present, or had cause to know that they were absent by their own fault. One of the members was in the House. The course of proceeding would be this:—the noble lord would state what he had to say in his defence; after being heard, he would then withdraw, and the House, with the record and defence of the noble lord, would come to the decision of the question.

Lord *Cochrane* then rose, and read from a written paper the following statement:—

Mr. Speaker;

The circumstances under which I appear before you and the House this day, entitle me to, at least, a patient hearing. The unfortunate man, who, in the time of cardinal Richelieu, was condemned to be racked and burnt, on the charge of practising magic, when protesting his innocence and exposing the villainy of his enemies, while the fire was preparing before his eyes, was, to prevent his being heard by the people, struck upon the mouth with a crusifix, borne in the hand of a monk. This horrible judicial murder shocked all France, and all Europe; but of all the circumstances attending it, the fabrication of evidence, the flagrant partiality of the judges, the cruelty of the sentence, the notorious falsehood of the charge, nothing produced so deep a sense of indignation as the act of this execrable monk; who, not content with the torture and the death of the victim, not content with the destruction of his body, was resolved to pursue him even beyond the grave. Therefore, Sir, though what I have now seen of * * * * * convinces me that cowardly malignity is not the exclusive possession of monks, I trust that, on this day, no means will be resorted to, to stifle my voice, or to prevent the public at large from hearing all that I have to say in my defence; all that I have to urge against the conduct of my enemies, and against the means that have been pursued to bring ruin and degradation upon me.

I am not here, Sir, to bespeak compassion, or to pave the way to pardon. Both ideas are alike repugnant to my feelings. That the public in general have felt indignation at the sentence that has been passed upon me, does honour to their hearts, and tends still to make my country dear to me, in spite of what I have suffered from the malignity of persons in power. But, Sir, I am not here to complain of the hardship of my case, or about the cruelty of judges, who, for an act which was never till now either known or thought to be a legal offence, have laid upon me a sentence more heavy than they have ever yet laid upon persons clearly convicted of the most horrid of crimes,—crimes, of which nature herself cries aloud against the commission. If, therefore, it was my object to complain of the cruelty of my judges, I should bid the public look into the calendar, and see if they could find a punishment like that inflicted on me, inflicted by these same judges on any one of these unnatural wretches. It is not, however, my business to complain of the cruelty of this sentence. I am here to assert, for a third time, my innocence, in the most unqualified and solemn manner; I am here to expose the unfairness of the proceedings against me previous to the trial, at the trial, and subsequent to it; I am here to expose the long train of artful villainies which have been practised against me, hitherto with so much success,

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I am here, in short, to appeal to my country against the decision of * * * * * * * * * * * * *.

I am persuaded, Sir, that the House will easily perceive, and every honourable man will, I am sure, participate in my feelings, that the fine, the imprisonment, the pillory;—even that pillory to which I am condemned, are nothing, that they weigh not as a feather when put in the balance against my desire to shew, that I have been unjustly condemned. Therefore, Sir, I trust that the House will give a fair and impartial hearing to what I have to say respecting the conduct of my enemies, to expose which conduct is a duty which I owe to my constituents and to my country, not less than to myself.

In the first place, Sir, I here, in the presence of this House, and with the eyes of the country fixed upon me, most solemnly declare, that I am wholly innocent of the crime which has been laid to my charge, and for which I have been condemned to the most infamous of punishments. Having repeated this assertion of my innocence, I next proceed to complain of the means that have been made use of to effect my destruction. And first, Sir, was it ever before known, in this, or in any other country, that the prosecutor should form a sort of court of his own erection, call witnesses before it of his own choosing, and, under offers of great rewards, take minutes of the evidence of such witnesses; and publish those minutes to the world under the forms and appearances of a judicial proceeding? Was it ever before known, that steps like these were taken previous to an indictment, previous to the bringing of an intended victim into a court of justice? Was there ever before known so regular, so systematic a scheme for exciting suspicion against a man, and for implanting an immoveable prejudice against him in the minds of a whole nation, previous to the preferring a Bill of Indictment, in order that the grand jury, be it composed of whomsoever it might, should be predisposed to find the Bill? I ask you, Sir, and I ask the House, whether it was ever before known, that means like these were resorted to, previous to a man's being legally accused? But, Sir, what must the world think, when they see some of those to whom the welfare and the honour of the nation are committed, covertly co-operating with a Committee of the Stock Exchange; and becoming their associates in so nefarious a scheme? Nevertheless, Sir, this fact is now notorious to the whole world. I must confess I was not prepared to believe the thing possible. I was aware, indeed, that I had to expect from some of those in power, whom I had in vain endeavoured to bring to justice, every thing that malignity could suggest, and cunning perpetrate. I was aware that my endeavours, though humble, to expose the sources of corruption, through the Pension-list and the Prize-courts, had raised against me many enemies; I was aware of the unquenchable thirst for revenge, which, by the exposure of truth, I had excited in the breasts of many corrupt and hypocritical individuals; and, especially I was aware of the offence which I had given to the grasping and never-pardoning phalanx of the law, by exhibiting to the world their frauds upon my ill-treated brethren of the navy. But, notwithstanding all this, I was not prepared to see * * *

So much, Sir, for the steps taken previous to the indictment. The conspiracy against me being thus matured, the public mind being completely prejudiced, and that prejudice kept alive by a series of falsehood and misrepresentations, the legal proceedings began. The Bill of Indictment was preferred; and here, Sir, must not the wicked design of the conspirators be manifest to all the world? There were some persons indicted who had confessed their share in the imposition. These persons had declared to my prosecutors, that they knew me not; that they had never seen me; that they never had any connection with me; and yet we were all put into one indictment, for the manifest purpose of so confounding innocence with guilt, as to secure a chance, at least, of my conviction, even at the hand of a jury who, in spite of all precautions, might be disposed to act justly. Their object was so to confound and confuse ideas, that with the aid of the craft of a * * * * *, a jury of even honest men might be led to give a wrong verdict.

Care, however, was taken, Sir, that the success of this base conspiracy should not be exposed to the chances of failure, from the jury not being of the right stamp. The indictment, if left to its fair regular course, would have been tried at the Sessions-house at the Old Bailey, before a jury impartially taken. In that case it would have been what is called a Common Jury; that is to say, a jury whose names are taken promiscuously out of a box, containing the names of the *whole of the jurors,* summoned for the trial of *all the cases* brought before the court during the sessions. I was ready to meet the accusation before such a jury. I took no steps to put off the trial for a day. The indictment was removed from the court, before which it regularly came, into a court where the prosecutors knew they could cause me to be tried by a jury * * * * * and, which was full as much to their purpose, before a judge * * * * * * * * * * *

[Here the noble lord made use of some strong expressions in mentioning the judge, which excited a murmur in the House.]

[The *Speaker* said the House were willing to hear all that the noble lord could state in his own defence; but the House, while unwilling to interrupt the noble lord, could not suffer virulent invectives or words to be made use of by him, which were not fit to be heard, if not proved. If the House, from an unwillingness to interrupt the noble lord, should allow assertions of an unwarrantable nature to be made use of, they would not certainly allow them to be afterwards repeated, merely because they were said there.]

Lord Cochrane continued:

Dr. Johnson, in reference to the happier times England had seen, has these lines—

> "When sterling freedom circl'd Alfred's throne,
> And *spies* and *Special Juries* were unknown."

Sir, when I first read these lines, I was wholly ignorant of what special jury meant. I now understand the thing but too well; and I am not without hopes that the horrible injustice which has now been practised, and which could not have been practised without the aid of that contrivance of crafty tyranny, a special jury, may in the end, be the means of totally extirpating that intolerable evil. A special jury is composed of twelve persons taken out of forty-eight persons, the whole of which forty-eight persons are selected by the master of the Crown-office, who is dependent for his bread on the will of his superiors, and who is invariably a person put into his office through the means of political, if not corrupt influence. It is notorious, Sir, that these special jurors follow the business as a trade; that they are paid a guinea each for every trial; that they sometimes gain eight or ten guineas a day; that it is deemed a favour to be put upon the special jury list; that persons pay money to get upon that list; that if they displease the * * * care is taken to prevent them from serving again, or, in other words, to cut them off, or turn them out from a profitable employment. And is it this, Sir, which we call a jury of our country? Have I been tried by a jury of my country? * * Sir, I have been tried by twelve men, * * * * * * * * * If there be any meaning in the word *packed*, as applied to juries; * * * * * To pack a jury, means to select, by one of the parties, men, who, it is known, will decide, as that party wishes them to decide. And was not that the case in the present instance? Was not the master of the Crown-office * * * * * * * * * * * For what other purpose than that of securing * * * * was the case removed from the Old Bailey to the Court of King's-bench? I ask for what *other* purpose? and I defy any one to answer me, unless he add that it was also for the purpose of securing * * * * * * * * The institution of special juries, an institution unknown till times of modern date, and repugnant to the laws of England, had its rise in a pretence, that matters of technical difficulty a common jury might not be competent to understand. As in cases of insurance, shipping of goods, and the like. But what was there in this case that a common jury, composed of tradesmen in the city of London, would not have understood? A common jury would surely have been as competent to decide upon my case as upon the cases of hundreds, who are condemned to death upon the decision of such a jury in that same court, where, if it had been the intention to do me justice, my case would have been tried. The House are told that it is sufficient for them to have read the verdict against me: by what principle of justice, or of reason, the House is to proceed to inflict upon me a new punishment, without themselves hearing and examining the evidence, I will not here attempt to enquire. I shall satisfy myself as to this point in having shewn that the jury, whose verdict was produced in the House, * * * * * * and that it was, as all such juries in such cases are, * * * * * * * * *

If, Sir, the accusation against me had not brought the whole conduct of my life under animadversion, I should not think it necessary to account for the manner in which my time has been employed, since I was actively engaged in my professional duties. The interval has not been idly spent, nor without a view to the interests of my country. At an expence of nearly 2,000*l.*, for which I neither sought or thought of remuneration, I examined the situations, and procured plans of various important ports and places in the Mediterranean. I meditated and matured plans for the more effectual prosecution of the war. They were approved, pronounced practicable, and considered infallible, by some of the most distinguished officers now living. I offered them to successive administrations, and I also offered my services to put them in execution. Subsequently my attention was chiefly directed to the prosecution and perfection of an invention of considerable public convenience and utility; and on the very day of the offence so unexpectedly laid to my charge, I was solely occupied in furthering this, at least inoffensive, object, without the slightest idea of the mischief which that day was to bring forth.

I had then been appointed to the command of his Majesty's ship the Tonnant, and the loss of that command, after expending more than 1,000*l.* in fitting for sea, is one of the many misfortunes in which this groundless accusation has involved me. I had obtained leave of absence,to procure a patent for the above invention; and to my duty on board my ship returned on the 1st of March, and it was not till the 8th day of that month that I found, that my name was connected with the fraud from the following paragraph in the public prints of the 7th:

"We are glad to hear that the committee of the Stock Exchange have made considerable progress in discovering the authors of the late nefarious fraud, and that they have ascertained that the pretended colonel De Bourgh went to the house of a gentleman who has a large stock-jobbing account. Though the committee have posted the following notice, yet we should hope, that the gentlemen named therein, were no parties to the deception practised. They cannot, however, take too early an opportunity of clearing themselves from all suspicion of having participated in the transaction."

"Stock-Exchange Committee-Room, March 4.

"It is particularly requested, that all those members of the Stock Exchange who transacted business, either directly or indirectly, for any of the persons undermentioned on Monday the 21st of February last, will favour the committee with an interview:—the hon. Cochrane Johnstone, Mr. G. R. Butt, lord Cochrane, Mr. Holloway, Mr. Sandom, Mr. M'Rae."

On reading this paragraph, I lost no time, (whatever may have been insinuated to the contrary), in applying for leave of absence. I gave the necessary orders about the ship, and waited on admiral Surridge to obtain his permission to proceed to town. He informed me, that he had just sent me admiralty-leave to the ship, and a letter from lord Melville; neither of which were forwarded to me for a considerable time after, and lord Melville's letter remains still unopened. I mention this merely to shew, that in returning to town for the purpose of clearing my character, I was not influenced by any communication from the Admiralty. On my return to town I did what I think every innocent man would have done; I made oath to a true statement of all that I knew of the circumstances on which the accusation against me was founded.

It was said by the counsel for the prosecution, that he should have thought that a nobleman in my situation would have pledged his word and honour. If I understood the difference between the sanctity of such a pledge, and that of an oath, I might be able to reply to his observation; but I do not: but this I understand, that if I had pledged my word and honour, it would not not have escaped that person's discernment, that I did not dare to make oath to the truth of my statement.

The report of the Stock-Exchange Committee was not published till two days after my affidavit, and the description of the dress of the pretended messenger, as given by them in their hand-bill of the 7th, to wit a *brown* great coat, and a *red* under-coat, being wholly different from that in which De Berenger appeared before me, which was a *grey* great coat and a *green* uniform. I firmly believed that he was not the same person; and so impressed, I published my affidavit of the 11th, and shortly after the affidavits of three of my servants, who made oath that the upper-coat was *grey*, and that the collar and all that they saw of the under-coat was *green*. These Affidavits I hold in my hand, and if it is the pleasure of the House I will read them.*

My affidavit of the 11th of March was most unmercifully handled by the counsel for the prosecution, and also by the Chief Justice. They insisted that *I must have known* when I received the note, that it came from De Berenger. My statement

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* The following are the Copies of the said Affidavits:

"Having obtained leave of absence to come to town in consequence of scandalous paragraphs in the public papers; and in consequence of having learnt that hand-bills had been affixed in the streets in which, I have since seen, it is asserted that a person came to my house, at N°. 13 Green-street, on the 21st day of February, in open day, and in the dress in which he had committed a fraud, I feel it due to myself to make the following deposition, that the public may know the truth relative to the only person seen by me in military uniform at my house on that day. COCHRANE."

"13, *Green-street, March* 11, 1814."

*No.* 13, *Green-strret, Grosvenor-street, March* 11, 1814.

"I, sir Thomas Cochrane, commonly called lord Cochrane, having been appointed by the lords commissioners of the Admiralty to active service (at the request, I believe, of sir Alexander Cochrane) when I had no expectation of being called on, I obtained leave of absence to settle my private affairs previous to quitting this country, and chiefly with a view to lodge a specification to a patent relative to a discovery for increasing the intensity of light.—That, in pursuance of my daily practice of superintending work that was executing for me, and knowing that my uncle, Mr. Cochrane Johnstone, went to the city every morning in a coach, I do swear, that on the morning of the 21st of February, which day was impressed on my mind by circumstances which afterwards occurred, I breakfasted with him at his residence in Cumberland-street, about half past eight o'clock, and I was put down by him (and Mr. Butt was in the coach) on Snow-hill, about ten o'clock.—That I had been about three quarters of an hour at Mr. King's manufactory, at No. 1, Cock-lane, when I received a few lines on a small bit of paper, requesting me to come immediately to my house; the name affixed, from being written close to the bottom, I could not read; the servant told me it was from an army officer, and concluding, that he might be an officer from Spain, and that some accident had befallen my brother, I hastened back, and I found captain Berenger, who, in great seeming uneasiness, made many apologies for the freedom he had used, which nothing but the distressed state of his mind, arising from difficulties, could have induced him to do. All his prospects, he said, had failed, and his last hope had vanished of obtaining an appointment in America. He was unpleasantly circumstanced on account of a sum which he could not pay, and if he could, that others would fall upon him for full 8,000*l.* He had no hope of benefiting his creditors in his present situation, or of assisting himself. That if I would take him with me, he would immediately go on board and exercise the sharp-shooters (which plan sir Alexander Cochrane I knew had approved of). That he had left his lodgings, and prepared himself in the best way his means had allowed. He had brought the sword with him, which had been his father's, and to that and to sir Alexander he would trust for obtaining an honourable appointment.—I felt very uneasy at the distress he was in, and knowing him to be a man of great talent and science, I told him I would do every thing in my power to relieve him; but as to his going immediately to the Tonnant with any comfort to himself, it was quite impossible. My cabin was without furniture; I had not even a servant on board. He said he would willingly mess any where. I told him that the ward-room was already crowded, and besides, I could not with propriety take him, he being a foreigner, without leave from the Admiralty. He seemed greatly hurt at this, and recalled to my recollection certificates which he had formerly shewn me from persons in official situations; lord Yarmouth, general Jenkinson, and Mr. Reeves, I think, were amongst the number. I recommended him to use his endeavour to get them or any other friends to exert their influence, for I had none; adding, that when the Tonnant went to Portsmouth, I should be happy to receive him; and I knew from sir Alexander Cochrane, as, that while I was superintending work t Mr. King's manufactory, I received a ote, but *did not* know that it came from De Berenger, because the name was written so close to the bottom that I could not read it. It was triumphantly remarked, that this note was not forthcoming. It was mentioned as a suspicious circum-

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hat he would be pleased if he accomplished that object. Captain Berenger aid, that not anticipating any objection n my part from the conversation he had ormerly had with me, he had come away with intention to go on board, and make imself useful in his military capacity; e could not go to lord Yarmouth or to ny other of his friends in this dress (alluding to that which he had on), or return o his lodgings, where it would excite suspicion (as he was at that time in the rules f the King's-bench), but that if I refused o let him join the ship now, he would do o at Portsmouth. Under present circumstances, however, he must use a great liberty, and request the favour of me to send him a hat to wear instead of his military cap: I gave him one which was in a back room with some things that had not been packed up, and having tried it on, his uniform appeared under his great coat; I therefore offered him a black coat that was lying on a chair, and which I did not intend to take with me: he put up his uniform in a towel, and shortly afterwards went away in great apparent uneasiness of mind; and having asked my leave, he took the coach I came in, and which, I had forgotten to discharge in the haste I was in.—I do further depose, that the above conversation is the substance of all that passed with captain Berenger, which from the circumstances attending it, was strongly impressed upon my mind: that no other person in uniform was seen by me at my house, on Monday, the 21st of February, though possibly other officers may have called (as many have done since my appointment); of this, however, I cannot speak of my own knowledge, having been almost constantly from home, arranging my private affairs. I have understood that many persons have called under the above circumstances, and have written notes in the parlour, and others have waited there in expectation of seeing me, and then gone away; but I most positively swear, that I never saw any person at my house resembling the description, and in the dress stated in the printed advertisement of the members of the Stock Exchange: I further aver, that I had no concern, directly or indirectly, in the late imposition, and that the above is all that I know relative to any person who came to my house in uniform on the 21st day of February before alluded to. Captain Berenger wore a grey great coat, a green uniform, and a military cap.—From the manner in which my character has been attempted to be defamed, it is indispensibly necessary to state that my connection in any way with the funds arose from an impression that, in the present favourable aspect of affairs, it was only necessary to hold stock, in order to become a gainer, without prejudice to any body: that I did so openly, considering it in no degree improper, far less dishonourable: that I had no secret information of any kind; and that had my expectation of the success of affairs been disappointed, I should have been the only sufferer.—Further, I do most solemnly swear, that the whole of the omnium on account, which I possessed on the 21st day of February, 1814, amounted to 139,000*l.* which I bought by Mr. Fearn (I think) on the 12th ultimo, at a premium of 28¼: that I did not hold on that day any other sum on account, in any other stock, directly or indirectly; and that I had given orders when it was bought, to dispose of it on a rise of 1 per cent. and it actually was sold on an average at 29½ premium, though on the day of the fraud it might have been disposed of at 33½. I further swear, that the above is the only stock which I sold of any kind on the 21st day of February, except 2000*l.* in money which I had occasion for; the profit of which was about 10*l.*—Further I do solemnly depose, that I had no connexion or dealing with any one, save the abovementioned, and that I did not at any time, directly or indirectly, by myself, or by any other, take or procure any office, or apartment for any broker or other person for the transaction of stock affairs.

"Cochrane."

Sworn at my house in Great Queen-street, Lincoln's-inn-fields, in the county of Middlesex, the 11th day of March, 1814, before me,

*A. Graham.*

Affidavit of Isaac Davis.—I, Isaac Davis, do swear, that I was in lord Cochrane's service. That when his lordship was appointed to a ship, I received warning to stance that I could not produce this note. The fact is, that I tore it and threw it down. I had not the smallest idea that it was worth preserving—a note merely soliciting an interview which I was immediately going to grant. What could it contain that the writer himself could not inform me of? If I *had* preserved it—if I *had* brought it forth—what would the learned judge have said? Why, Sir, he would have said, that there could not be a more suspicious circumstance—that I could never have been so careful of an apparently insignificant scrap of paper, if I had not foreseen that it might one day be called in question; or else he would have said, that it had been *subsequently fabricated.*

I have to lament that I was not more particular as to the important fact of my going away from the lamp makers, under the impression that I was about to meet an officer with distressing intelligence relative to my brother, the hon. major Cochrane. I can now only supply the deficiency by the same statement, and the same evidence which I tendered to the court of Kings Bench when I made my second application for a new trial. I then observed, "that I was in apprehensions of fatal news respecting my brother then in France, from whom I had received a letter but three days before, with the intelligence of his being dangerously ill; and I now tender you his affidavit, with the surgeon's certificate, dated the 12th of February, which he brought home with him: and, therefore, on receiving the note from Berenger, whose name I was unable to decypher, and as that note announced that the writer, whom I learnt from my servant had the appearance of an officer in the army, was desirous of seeing me, I hastened to learn intelligence so anxiously expected; nor had I the least doubt that it related to my brother. When, however, I found that the person was De Berenger, and that he had only to speak of his own private affairs, the apparent distress he was in, and the relief it gave my mind to know that he was not the bearer of the news I dreaded, prevented me from feeling that displeasure which I might otherwise have felt at the liberty he had taken, or the interruption it had occasioned. Comments have been made on my saying so little to the servant who brought me that note; but the fact is, I did ask him several questions as appears by his affidavit. That I did not learn the name of the writer from the note itself, I have truly accounted for, by its being written so close to the bottom that I could not read it. This assertion is said to be contradicted by the circumstance of the writer having found room to add a postscript, as if there was only one side of the paper. Of the postscript I have no recollection, but it might have been written even opposite the signature. That I did not collect from the handwriting that it was addressed to me by De Berenger is nothing extraordinary; my acquaintance with that person was extremely slight; and till that day, I had never received more than one or two notes from him, which related to a drawing of a lamp. I was too deeply impressed with the idea that the note was addressed to me by an officer who had come with intelligence of my brother, to apprehend that it was written by De Berenger, from whom I expected no communication, and with whose hand-writing I was not familiar. All that I could afterwards recollect of the note, more than what is stated in my affidavit, is, that *he had something to communicate which would affect my feeling mind,* or words to that effect, which confirmed my apprehensions that the writer was the messenger of fatal news of my brother."

My brother's affidavit is as follows:

"The hon. Willliam Erskine Cochrane, major in the 15th regiment of dragoons, now residing in Portman-square in the county of Middlesex, on his oath, saith

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provide myself with a place; and that, on the 21st day of February, and when the month's warning had expired, I was in his lordship's house in Green-street, where several gentleman called in the morning, one of whom was captain Berenger. He had on a grey great coat, buttoned, and a *green* collar under it. I knew him, having seen him when his lordship lived in Park-street. And I do further swear, that no man lived in his lordship's house but his servants, and that I did not see any man dressed, or answering the description of Crane, the hackney-coachman, at his lordship's house on the day above-mentioned.

Isaac Davis.

Sworn at the Mansion-house, London,
this 21st day of March, 1814.
*Wm. Domville,* Mayor.

The Affidavits of Thomas Dewman and Mary Turpin were afterwards repeated in the court of King's-bench, and will be found in a subsequent part of the Speech.

hat he was seized with a violent and larming illness on the 1st of January, 814, at Cambo, in the South of France, nd that this deponent remained in a state f dangerous illness until the 18th of the ollowing month; that, early in February ast, he wrote to his brother, lord Cochrane, o acquaint his lordship of this deponent's ituation, as deponent had then very little ope of recovery, and telling him that he ad received a notification that he would e ordered to England, where he should roceed if ever able to undertake the ourney. And this deponent further saith, hat the annexed certificate was given to im for the purpose of being laid officially efore a board of medical officers at St. ean de Luz by the surgeon of this depoent's regiment, and is in the said surgeon's hand writing."

From the certificate of the surgeon ated the 12th of February, I think it maerial to insert the following extracts:— Major Cochrane was seized with the sual symptoms of fever on the *1st of Jauary*, which was continued for the first hree days, then the remittant character leveloped itself; the evening paroxysm vas severe every day, and he was all hrough much worse on the third day than n the two preceding days.—On the 23d e had a crisis, and went on very well till he 1st of February, when he suffered a reapse, attended with rather alarming sympoms. There was great determination to he head, and a tendency to coma. On ie morning of the 7th he had a second elapse. I hope the change of air and obects will serve him."

The affidavit of my brother, as well as he certificate of the surgeon, were treated s fabrications; and with respect to my rother's letter, the judge would not beeve that I had received it, unless I could roduce it, and shew him the post-mark. is known to all my friends, that I seldom reserve such letters as are not likely to e of future importance, but it was also nown to many of my friends that I had eceived such a letter: and since my broier colonel Cochrane's return from Ireind, I have learnt that he did actually reeive the letter enclosed from me, and iy other brother, major Cochrane, has vorn to the fact of having sent it. His ffidavit was before the court, but was npudently discredited by the judge.

Having rejected the letter and the affiavit, it was easy to dispose of the certifiate. He chose to consider it as the certificate of a day's illness only, namely, the 12th of February, although it expressly certifies that such illness commenced on the 1st of January, and he contended that I could not have heard of such illness prior to the 21st of February. The authority of the certificate is unquestionable, and it is more important since it was not obtained for the purpose of proving the truth of my statement, but is the original certificate granted to my brother, on the 12th February, by the surgeon of his regiment, for the purpose of being laid before a board of medical officers at St. Jean de Luz, to shew the necessity of his return to England, where he arrived some time in March, and brought the certificate with him, and now resides in Portman-square, in a very precarious state of health. The certificate of the surgeon includes a period of six weeks, namely, from the 1st of January: and yet the learned judge argued against the probability, nay, stated that it was almost impossible, that I should have heard of his illness on the 17th of February!

When it is considered, that lord Ellenborough admitted, that evidence of the illness of my brother would add great probability to my statement, that, on hearing of the arrival of an officer from the army, I went home with the expectation of hearing distressing intelligence respecting him, and that such evidence would indeed be important, is it not strange that he should have rejected such evidence without the slightest examination?

With respect to my account of the conversation which passed between De Berenger and myself, I submit that it is not only true, but perfectly probable. It was not necessary that I should know what De Berenger had been transacting, in order to believe that he had reasons for wishing to quit the kingdom. His wish to go to America, and sir Alexander Cochrane's application in his behalf, were known to me, and clearly proved on the trial: and the prosecutors counsel admitted that De Berenger was in the rules of the King's-bench, and so involved in debt, that he would rather reside in any country than this. Since the trial, a letter from De Berenger to his solicitor, Mr. Gabriel Tahourdin, has come into my possession, which clearly proves the distressed state of his mind, and his anxiety to get out of the country. The letter is dated the 17*th of February*, *four* days previous to the fraud of the 21st; the letter is long, and to me perfectly unintelligible: the following passage shews the perturbed state of his mind:

"I cannot refrain from pressing you as my solicitor, and as a confidential friend, to take immediately those measures, which alone can tranquilise my mind, and enable me thereby to meet the numerous sufferings I am doomed to bear. Something must be done; for what is so harrassing as doubt about future fate? *Mine* is all gloom; and self-preservation, that powerful argument, but which I have so long neglected, and which every body more or less seems to use, requires my *immediate* and *unalterable* decision. I have refused what most people would call the safe side of the question: what are my prospects in consequence? that I shall have enemies in abundance—that I shall, in either result, have lost all chance of encouragement, perhaps in *all Europe*, and that I shall be tossed about, God knows how and where, and at an age, which claims rest: and horrible as the picture is, it is even the best of the prospects that await me."

After the apprehension of Mr. De Berenger, I did, by the advice of Mr. Johnstone, address to him a letter, through the office of lord Sidmouth, calling upon him to state to the public his reasons for coming to my house on the 21st of February, and he answered, that "nothing could exceed the pain he felt when he perceived how cruelly, how unfairly, his unfortunate visit of the 21st of February was interpreted, which, with its object, was correctly detailed in my affidavit." I hold his original letter in my hand.

Relying upon the difference of the dress in which De Berenger appeared before me, from that described by the Stock Exchange Committee, and on the assurance of Mr. Johnstone, that De Berenger had informed him that he could unequivocally prove an *alibi*, by at least a dozen credible witnesses, and believing that, at all events, my own innocence would prove my protection, I felt so perfectly secure as to the issue of the trial, that I gave no instructions to counsel, attended no consultation, and never even read my own brief, into which a serious error was introduced; but, leaving the whole business in the hands of my solicitor, I retired to my house in the country, and did not return till two days previous to the trial.

While in the country, I received a letter from my solicitor, informing me, that at a consultation, it had been resolved to defend my case jointly with that of Mr. Butt, and that it was not determined, whether it might not also be adviseable to unite it with that of Mr. Johnstone. I had ordered that my case should be defended separately, and Messrs. Topping and Scarlett were engaged as my counsel. To the above communication I returned the following answer.

"Holly-hill, Titchfield,
May 29, 1814:

"The counsel are certainly better able to judge than I am, as to the necessity of mixing Mr. Butt's case with mine, but *I will not consent to any further union.*"

Notwithstanding this, my case *was* defended conjointly, and it deserves particular attention, that the able counsel who pleaded my cause (Mr. Serjeant Best), was intended to defend Mr. Johnstone only, and that the counsel whom I *did* employ, had no opportunity of opening their lips. The unavailing expression of my dissent to an union of cases, was almost the only step taken by me in my own behalf, in the whole course of the proceedings prior to my return to town; for, in addition to the perfect consciousness of my innocence, I cannot help remarking, that Mr. Johnstone was anxious to relieve me from the trouble of attending to my own interests in this matter; and in a letter which he wrote to me a few days previous to the trial, he intreated me to make myself perfectly easy as to the issue, and informed me that he had seen De Berenger's brief, by which it appeared that he would fully establish an *alibi.* I have had no opportunity of searching for this letter, which, pursuant to my general practice well known to my friends, perhaps I have destroyed; but the receipt and purport of it can be proved on oath by a visitor then at my house.

On my return to town, immediately before the trial, a copy of the brief of Mr. De Berenger was shewn to me by Mr. Johnstone; and the case as therein stated appeared to me so perfectly clear, that I solemnly assure the House that I then thought it impossible that he could be the person who personated De Burgh. That I had no concern whatever in the *alibi* set up by Mr. De Berenger, will sufficiently appear from the following Letter from my Solicitors:—

"Lincolns-Inn Fields,
1st July, 1814.

"My Lord; We beg to acknowledge the receipt of your lordship's letter of yesterday's date, and to acquaint you, in answer, that we were certainly employed exclusively for your lordship in the late trial, and not for any other of the defendants; and we also beg leave to state most explicitly, that we never received from your lordship, or any other person whatever, any instructions in respect to the *alibi* attempted to be proved by Mr. De Berenger, and consequently did not, nor could give any directions to counsel in respect to that *alibi*, nor had we ever any intercourse or communication whatever with the witnesses by whom it was to be established. We have the honour to be, my Lord, &c. FARRER and Co."

My description of the dress in which De Berenger appeared before me at my house on the 21st of February, has excited much animadversion. When I swore that he wore a *green* coat, the counsel for the prosecution declared that I had incurred the moral guilt of perjury, without subjecting myself to the legal penalty. When I came into court and repeated my assertion upon oath, under all the risks of the law, and tendered the affidavits of others who saw him as I did, in his green coat at my house, the same counsel impudently repeated the foul and false accusation. I also affirmed, upon my honour, in the court of King's-bench, and I do affirm upon my honour in this House, *that I only saw him in a green uniform.*

I have already stated, that an error of the most dangerous nature was introduced into the brief. In that brief the coat of De Berenger is described to have been a *red* one, with a green collar, and my counsel in consequence admitted that to be *red* which had been sworn to be *green.*

My attention was not called to this error, which has been so injurious; and Mr. Serjeant Best, in the course of my defence, marked the contradiction between my affidavit and what his brief told him, and he gave me credit for an oversight in consequence thereof, but declined examining my servants, *then ready in attendance.* Early on the morning of the second day of the trial, being informed, to my surprise, of the mode of defence which had been resorted to, I again sent my servants to Guildhall with a note to my solicitor, of which the following is an extract;

"9th June, 1814.

"Dear Sir; I have sent my servants who, I submit, *ought* to be examined in order to prove the appearance of Berenger. This seems necessary, to free me from the internal uneasiness which I should ever feel were the investigation to terminate otherwise."

Still, Sir, it was not deemed proper to examine my servants: and to the error which crept into the brief, and the consequent misapprehension of my counsel, I must, in some measure, attribute the unfavourable result of the trial. I say, in some measure, because I must ever consider myself as *principally* indebted for my conviction to the injustice of * * *

About half past seven o'clock, on the evening of the last day of the trial, a clerk, on the part of my solicitors, called upon me, and the following is a memorandum made by him of the conversation that took place between us in consequence:

"I told lord Cochrane I had just come out of court to prepare him for the worst result, *as the Judge was summing up against him very decidedly;* and I delivered him a memorandum of Mr. Brougham, recommending his lordship's being made acquainted with the result to be apprehended; he enquired much about the trial, but *particularly* what witnesses had been called on his side?—I told him Dewman, and a person to prove major Cochrane's illness, and some others.—He enquired if Mary Turpin was called?—I answered not. —He said Mr. Parkinson *had put his foot in his case,* or that he had *botch'd* his case, and it was *cruel in him.*—He requested I would tell him he ought to have called her to prove Berenger's dress.—I told him his letter was submitted to counsel, and the measure not approved of by them. He answered, *Mr. P. should have done as I instructed him; I am to be the only sufferer if convicted.*—I also told him, that at the time his lordship's letter was received, his case was closed.

"(Signed) HM. COULTHURST,
10th June, 1814."

I introduce this, Sir, to shew to the House how anxious I was, to the very last moment, that my servants should be examined. Had they been examined, they would have proved that the dress in which De Berenger came to my house was *green;* and I submit whether the testimony of all these persons ought not to preponderate over that of one. The only witness to the point of De Berenger's coming to my house in a *red* coat is Crane, the hackney-coachman. And under what circumstances was his evidence given? Not one of the counsel for the prosecution ventured to question him to the point; but, on his cross-examination, being asked the following question, "you do not pretend to be able to recollect every person you carry in your hackney-coach every day?" he replied, "No! but this gentleman that I took from a post-chaise and four, when he got out at Green-street, I saw that he had a *red* coat underneath his great coat." Does it not appear from this answer, that the witness having been disappointed in not being questioned to that point before, speaks to it now as his only chance of securing the reward of 250l. offered by the Stock Exchange, and which, I understand, he has laid claim to? With respect to the evidence of Crane, it is worthy of notice, that the great coat which I have sworn was *grey*, was described by him, in his examination before the Stock Exchange Committee, to have been a *brown* one; but, on the trial, he meets my description, and calls it a *brown-grey:* he also described Berenger as a *red-faced man.* Shilling also stated, before the Committee, that De Berenger had a *large red nose,* and *face rather blotch'd.* Now, it is well known, that De Berenger bears no resemblance to such description; he is *pale,* marked with the small pox, and free from blotches.

But, Sir, I have another fact to state with regard to Crane; and I call upon the House to give it that attention which it deserves. At the moment, Sir, that this man was giving evidence, which was to convict me of the crimes of fraud and perjury, he himself was suffering the sentence of the law for conduct of no common atrocity. The account of this conduct I will read to the House, as it was stated in the public papers:—

"On Friday last, William Crane, the driver of the hackney-coach No. 782, was summoned before the commissioners upon a charge of cruelty to his horses—*The circumstances detailed were so shocking as induced the Commissioners to observe, they never heard a more atrocious case.*"

Now, Sir, I ask, is the evidence of an old and faithful servant, who has been in our family seventeen years, together with the evidence of three other witnesses of unimpeached veracity, to be outweighed in the balance by a wretch of this stamp?

On the subject of the *Bank-notes* found in De Berenger's possession, which had been exchanged for others that had once been mine, I pledge myself to prove, in the clearest and most unequivocal manner, that such notes of mine as have been called in question, were part of a sum given by me to Mr. Butt for the purpose of discharging just and *bonâ fide* debts; namely, a debt of 200*l.* to himself for money borrowed, and the payment of my wine merchants, Messrs. Wilkinson and Crosthwaite, whose bill amounted to 699*l.* 11*s.* the payment of which, through the hands of Mr. Butt, had escaped my recollection at the time of the trial. The several papers relating to the loan of 200*l.* extracted from the Stock-broker's books, together with the wine-merchants' affidavit respecting the whole of the transaction, I hold in my hand, and entreat the House to examine them. In looking over the wine-merchants affidavit, I find, that on the 19th of February, the *very day* on which the fraud is alleged to have been planned, I was "engaged in their cellars for upwards of two hours in tasting wines," to be sent on board the Tonnant.

Having mentioned Mr. Butt, I take this opportunity of stating, that my connection with the funds arose from a conversation with that gentleman in October last, when the progress of the allies and the favourable aspect of affairs induced him to recommend me to place my spare money in government securities: I told him that I had disposed of it in private securities and land. He then informed me, that I might gain without advancing the principal, and offered to conduct the business for me: he urged this proposal; which I then declined, being unwilling to enter into speculations which I did not understand: however, in the course of a few days, to my very great surprise, he brought me the sum of 480*l.*, as the profit on a speculation which he said he had made for me! Not wanting the money, I desired him to sport with it till he had lost it; and between that period and the 19th of February the sum which he had gained and placed to my account, without fee or reward, and without check or controul on my part, amounted to 4,200*l.* I have witnessed many generous and disinterested acts of Mr. Butt, and I think him incapable of a dishonourable action. In justice to him I must also observe, that the notes in question, as appeared on the trial, were part of a sum lent by him on the 25th of February, to Mr. Johnstone.

I come now, Sir, more particularly to the conduct of the judge before whom the cause was tried. The public have read an account of that conduct during the examination of the witnesses. * * *

* * * * * * * *

It must be in the recollection of the House, as it is in that of the public, that he urged, that he compelled the counsel to enter upon my defence *after midnight*, at the end of fifteen hours from the commencement of the trial, when that counsel declared himself quite exhausted, and when the jury, who were to decide, were in a state of such weariness as to render attention to what was said totally impossible. The speeches of the counsel being ended, the judge, *at half past three in the morning*, adjourned the court till ten; thus * * * * separating the evidence from the argument, and reserving his own strength and the strength of my adversaries' advocate for the close; giving to both the great advantage of time to consider of the reply, and to invent and arrange arguments to meet those which had been urged in my defence. By this means, too, another important object was secured. From the lateness of the hour at which the counsel were compelled to enter on my defence, it was impossible, that that defence should appear the next day in print; while the speech of the advocate by whom I was accused would appear at full length. The object was completely attained; and thus were the public, by seeing hardly a word in my defence, while so much was urged against me, prepared to approve of the verdict which was given the next day.

Lord Ellenborough, in his charge to the jury, remarked, that in my affidavit of the 11th of March (but not before) I first connected the name of De Berenger with this transaction. It is true, that I did so; and the fact was known to his lordship, for he had heard it in evidence, that when I gave the affidavits to be printed, I declared that "if De Berenger was the impostor, I had furnished the clue to his detection;" and lord Ellenborough was not warranted in insinuating, that I had delayed the disclosure till I knew or believed that De Berenger had escaped. Why I could not take this step sooner, I have already explained, and the statement contained in my affidavit of the 14th of June, is full and decisive on the subject, and is a complete answer to the calumny, that I acted on the supposition of De Berenger being out of the kingdom. I, at least, had done nothing to contribute to his escape. I had refused his application to join my ship without leave from the Admiralty: if I had had the least reason to wish for his concealment, I could easily have smuggled him into the Tonnant; but it is obvious that I had no such intention.

By what authority, Sir, did lord Ellenborough take the unfavourable part of my affidavit as true, and the favourable part as false—when the former was not corroborated, nor the latter contradicted by any other evidence? or why did he represent me as making admissions which I did not make? He professed to speak from my affidavit, and indeed had no other evidence, to the fact of my furnishing De Berenger with a coat to wear instead of his uniform, and put it to the jury to consider "whether a man coming so disguised, and going away again with his disguise in a bundle, was not on a dishonest errand." Lord Ellenborough, Sir, professes to quote and draw conclusions from my affidavit; and he represents me as admitting that De Berenger came into my presence *disguised*, and that he went away with his disguise in a bundle! If there be one word of this in my affidavit, then I am perjured, and lord Ellenborough speaks truth. I stated that De Berenger, an officer in a rifle corps, called upon me in a *green uniform;* and this the judge submits to the jury is *a disguise,* and a proof of his coming on a dishonest errand!

"But," continues lord Ellenborough, "if other witnesses are to be believed, that visitor went to lord Cochrane's house, recently after having blazoned the false news, decorated with a star, a medallion, and dressed in a scarlet coat." In this short sentence there are two mis-statements; for there was only *one* witness who represented such visitor coming to my house in a scarlet coat, and not one word of the star, or medallion. Why did not lord Ellenborough submit to the jury, whether it was probable that De Berenger came there, and in that dress, by any previous arrangement of mine? Why did he not say, that it was for the jury to enquire, whether he came there as my instrument, or for his own convenience?

"Having hunted down the game," continues the dignified Chief Justice, "the prosecutors at last showed what became of his skin; and it is a *very material fact* that the defendant De Berenger stripped himself at lord Cochrane's." Why is it *material?* Because it is one of those facts which a guilty man would have been most anxious to conceal; and since this *material fact* never could have been known if I had not voluntarily divulged it, it is chiefly important as affording strong presumptive proof of my innocence; and in that light, it was lord Ellenborough's duty to have submitted it to the jury.

"He stripped his scarlet uniform off there," says the judge, "and the circumstances of its not being *green* did not excite lord Cochrane's suspicion." Did not lord Ellenborough know, that there was *no* evidence before the jury of De Berenger pulling off his *scarlet* uniform at my House? Even if it had been clear that he entered my house in that uniform, which I verily believe he did not, which of the witnesses on the trial saw him pull it off at my house? NOT ONE. Which of the witnesses proved that he went away in a dress different from that in which he entered? NOT ONE. On what ground, then, did this Chief Justice rest his assertion, that he pulled off his scarlet coat *in my presence?* That he pulled off any coat at all in my presence, he has no authority for stating, but my affidavit; and was he to give the prosecution the benefit of my evidence to the fact of De Berenger pulling off a coat in my house, and to deprive me of the advantage of the like evidence as to the *colour* of it, without the slightest proof to contradict that evidence?

Lord Ellenborough goes on to say, "*that* dress was such as ought to have immediately excited the suspicion of lord Cochrane; for how could a man in *such disguise* be supposed to have an honest purpose? If the colour of the coat escaped observation, what did he think of the star and medal? It became him, upon discovering these, as an officer and a gentleman, to communicate his suspicions of these circumstances. Did he not ask De Berenger where he had been in this dress? It was for the jury to say whether lord Cochrane *did not* know where he had been."

Had the jury, Sir, not been a packed jury—had any one of them felt an honest confidence in his situation, would he not have started up in the box, and desired this * * * judge to refer to his minutes, and point out where it had been given in evidence, that De Berenger was seen to wear the star and medal in my presence? This, perhaps, would have staggered him, and have led him not to enquire, whether I did not know where De Berenger had been, but to ask where he himself was going—whether he was not travelling out of the Record—and whether he was so doing for * * *

"This," continues the learned judge, "was not the dress of a sharp-shooter, but of a mountebank. *He came before lord Cochrane fully blazoned in the costume of his crime.*" Sir, this is one of those extraordinary effusions of lord Ellenborough's eloquence, which no language but his own can do justice to. I shall therefore adopt the expression used by his lordship in another place, and observe that "*it is* * * * * * !"

"And such a masquerade," concludes lord Ellenborough, "should have excited lord Cochrane, from his duty to the public service, to enquire into, and, if he could ascertain it, to expose promptly the errand of De Berenger."

Throughout the whole of this, and indeed every part, of the charge—a charge that never was surpassed by * * * * * * * * *—it is obvious, Sir, that lord Ellenborough loses sight of the evidence, and speaks entirely from his own * * * * * Why did he omit to remind the jury, that it was in evidence that I was from home when De Berenger arrived? that he remained at my house for nearly two hours before I returned? and that he had with him a portmanteau "big enough to wrap a coat up in?" Why did he not say that it was for the jury to consider whether the portmanteau could be for any other purpose? It could not have been to supply a change of linen—the expedition of a single night did not require it, and clean linen would not have favoured the appearance of a sudden arrival from abroad. Nay, did not lord Ellenborough know that De Berenger, (admitting him to be Du Bourg) must necessarily have had another coat with him—that he must have gone to Dover in another dress—that there was no evidence of his leaving London, or appearing on his way to Dover, in "the garb of a mountebank bedecked with stars and ornaments"—that it would have been madness, and almost certain detection, to have travelled from London to Dover in "such a masquerade." Why, then, did not lord Ellenborough submit to the jury, that the portmanteau which, in all probability, served to convey the ornamental dress to Dover, would also serve to convey the other dress *back?* And instead of * * * * asserting that De Berenger appeared before me *fully blazoned* in the *costume of his crime,* why did not the judge submit to the jury, whether he had not the means and sufficient opportunity of changing his dress before I saw him? Whether he might not have so changed it in the hackney-coach, or even in my House before I arrived? Had he any honest reason for not reminding the jury that De Berenger (admitting him to have been Du Bourg) did certainly take the best and easiest means to get at once out of the way, by applying to go on board of my ship, where he had also a prospect of future advantage? Why did not he say that it was for the jury to consider, whether he might not have come to my house without any previous arrangement of mine? and whether, in short, he came there as my instrument, or for his own convenience? Why did he suppress the circumstance of my brother's illness, which was in evidence? And why did he not ask, whether it was not possible that I might have been deceived? whether it was not possible that I actually went home in the expectation of meeting an officer with intelligence of my brother? Why did he assert that my duty to the public ought to have made me expose the fraud as soon as possible, as if it had been *in evidence that I did not;* when the fact was, that the knowledge of the imposition having been practised by a person coming to my house, never reached me on board of my ship *till the 9th of March,* and I *instantly* applied for leave of absence, which I obtained, even before I heard from the Admiralty on the subject. This was well known to the judge, and yet he dared to represent me as having secreted the fact of De Berenger's coming to my house. Was there any thing so strange in my paying money to Mr. Butt, with whom I had constant pecuniary transactions? This * * * judge, in his charge, made me answerable for Mr. Butt's application of his own money, and for the possession of notes by De Berenger, which were exchanged for notes that had before ceased to be mine. In short, Sir, he was * * * * * * * * * * and the main object of the prosecution was, I am thoroughly convinced, my degradation, and especially my expulsion from this House.

Before I take leave of lord Ellenborough, I have two or three questions to ask, which it behoves the friends of his lordship to answer. Did he take an active part in promoting the prosecution? Did he visit lord Melville at the Admiralty, to request that I might be suspended from my command, and detained for the purpose of being prosecuted? And did he advise the counsel for the prosecution to shape the indictment after a particular and well-known case?

I now come, Sir, to the injustice done me subsequent to the trial. I did think, that as the witnesses, who could materially have contributed to prove my innocence of the charge, had not been examined, and as I could shew that their not being examined originated in error, and that such error was not my own, that I had a just claim to a new trial. I thought, too, that the circumstances of my defence having been conducted jointly with that of another person, contrary to my express injunction, and of the counsel for that person having been compelled to enter upon the defence, when exhausted and unequal to the task of doing justice to his clients, and of my counsel not having had an opportunity of speaking in my behalf, were additional reasons for a revision of my case. It is notorious, that I made two applications for a new trial, and that both were refused. My first application was rejected under the pretext of a rule of court—which is, that no person, however innocent, if included with others in an indictment for a conspiracy, and unjustly condemned, shall be allowed a re-hearing, unless he can catch his supposed associates, and compel them to accompany him into court—a condition which it appears is as indispensable, as impossible to perform. As I could neither see the wisdom nor justice of this rule of court, I pressed very hard to be heard in behalf of my application—but it so happened that another person, also convicted of a conspiracy, had that very morning been refused a new trial for a similar reason; which furnished the court with the plausible pretence, that to grant to me that which he had refused to the other, would be to lay down one law for the poor, and another for the rich. But whether his lordship has or has not laid down different laws for different persons is another question. He sentenced the Askews who were convicted of a crime of the first magnitude, to twelve months imprisonment, and the pillory; and he passed the like sentence upon me, with the additional penalty of 1,000*l.* The court must have known, that one part of the sentence would be worse to me than death; and also that it was calculated to lead to new punishments in other places. It was calculated and intended to degrade and injure me in every possible way: it was intended to deprive me of those marks of distinction of which my sovereign once thought me deserving; to bereave me of my commission in the navy, and of my seal in this House.

On my second attempt to obtain a new trial, I was indeed permitted to speak; and I have reason to believe, that the statement which I then read convinced many persons in court, and has since convinced many thousands out of court, of my entire innocence. Of the different documents on which my motion for a new trial was founded, some were not permitted to be read, and others were only read to be rejected. Among the latter was my affidavit of the 14th of June, to which, as well as to the affidavits of my servants, I beg to call the attention of the House:

"Sir Thomas Cochrane, commonly called lord Cochrane, one of the abovenamed defendants, maketh oath and saith, that the several facts and circumstances stated in his affidavit, sworn on the 11th day of March last, before Mr. Graham, the magistrate, are true. And this deponent further saith, that in addition to the several facts and circumstances stated in his said affidavit, he deposeth as follows, that is to say, That he had not, directly or indirectly, any concern whatever in the formation, or any knowledge of the existence, of an intention to form the plot charged in the indictment, or any other scheme or design for affecting the public funds. That the sale of the pretended omnium, on the 21st day of February, was made in pursuance of orders given to his broker, at the time of the purchase thereof, on or about the 14th of that month, to sell the same whenever a profit of one per cent. could be realised. And that those directions were given, and the sale thereof took place, without any knowledge, information, hint, or surmise, on the part of this deponent, of any concern or attempt whatever, to alter the price of the funds; and the said sale on the 21st, took place entirely without this deponent's knowledge. That when this deponent returned home from Mr. King's manufactory on the 21st of February, which he did directly after the receipt of a note, he fully expected to have met an officer from abroad, with intelligence of his brother, who had, by letter to this deponent, received on the Friday before, communicated his being confined to his bed, and severely afflicted by a dangerous illness, and about whom this deponent was extremely anxious; but this deponent found capt. De Berenger at his house, in a *grey* great coat and a *green* jacket. That this deponent never saw the defendants Ralph Sandom, Alex. M'Rae, John Peter Holloway, and Henry Lyte, or any or either of them, nor ever had any communication or correspondence with them, or any or either of them, directly or indirectly. That this deponent, in pursuance of directions from the Admiralty, proceeded to Chatham, to join his Majesty's ship "The Tonnant," to which he had been appointed on the 8th day of February last. That the ship was then lying at Chatham. That, previous to the 8th day of February, this deponent applied to the Admiralty for leave of absence, which was refused, until this deponent had joined the said ship, and had removed her down to Long Reach; that this deponent, in pursuance of those directions, removed the said ship from Chatham to Long Reach, and after that was done, (viz.) on Saturday, the 12th day of the said month, this deponent wrote to the Admiralty to apply for leave of absence for a fortnight, for the purpose of lodging a specification for a patent, as had been previously communicated by this deponent to their lordships; that leave of absence was accordingly granted for 14 days, commencing on the 14th of the said month; that this deponent was engaged in London, expecting the said specification till the 28th of the said month, when the said specification was completed, and this deponent left town about one o'clock on the morning of the first of March, and arrived at Chatham about day-light on the same morning: that on the 8th or 9th of the same month of March, this deponent received an intimation, that placards were posted in several of the streets, stating that a pretended colonel De Bourg had gone to this deponent's house in Green-street; that at the time this deponent received this intimation, he was on board the said ship at Long Reach, and in consequence went to admiral Surridge, the port admiral at Chatham, to obtain leave of absence, which was granted; previous to the receipt of the leave forwarded by the lords commissioners of the Admiralty, this deponent arrived in London, on the 10th of that month to the best of his belief; and that after his arrival, he himself, conscious of his own innocence, and fearing no consequences from a developement of his own conduct, and desiring only to rescue his character from erroneous impressions, made by misrepresentations in the public prints, he, without any communication whatever with any other person, and without any assistance, on the impulse of the moment, prepared the before-mentioned affidavit, which he swore before Mr. Graham, the magistrate, on the 11th; that at the time he made such affidavit, he had not seen or heard the contents of the Report published by the committee of the Stock Exchange, except partial extracts in the newspapers; that when the deponent understood that the prosecution was to be instituted against him, he wrote to admiral Fleming, in whose service Isaac Davis, formerly this deponent's servant, then was, under cover to admiral Bickerton, at Portsmouth, and hat admiral Bickerton returned the leter, saying, that admiral Fleming had sailed for Gibraltar; that this deponent sent his servants, Thomas Dewman, Elizabeth Rush, and Mary Turpin, on the trial of his indictment, to prove that an officer came to this deponent's house on the morning of the said 21st of February, and o prove the dress that he came in; but hat the said Thomas Dewman only was called, and, as this deponent has been informed, he was not interrogated as to the dress in which the said officer came to his house; and this deponent further says, hat had the said witnesses been examined according to the directions of this deponent, and who were in attendance on the court for that express purpose, they would, as he verily believes, have removed very unfavourable conclusion respecting his deponent's conduct, drawn from the upposed dress in which the said De Berenger appeared before this deponent on the 21st of February, and on which circumstances much stress was laid in the charge to the jury, the said De Berenger's dress being exactly as stated in this deponent's former affidavit herein before-mentioned: and this deponent solemnly and positively denies, that he ever saw the said De Berenger in a scarlet uniform, decorated by medals, or other insignia; and he had not the least suspicion of the said De Berenger being engaged in any plot respecting the funds, but merely believed he wished, for the reasons stated in deponent's former affidavit, to go on board this deponent's ship, with a view to obtain some military employment in America; and this deponent declined complying with his request to send him on board his ship without permission, or an order from the lords of the Admiralty: and this deponent further saith, that he was in no degree intimate with the said De Berenger; that he had no personal knowledge of his private or public character; that he never asked the said De Berenger to his house, nor did he ever breakfast or dine with this deponent therein, on any occasion whatsoever; and further this deponent saith, that he hath been informed and verily believes, that the jury who tried the said indictment, and the counsel for the defence, were so completely exhausted and worn out by extreme fatigue, owing to the court having continued the trial without intermission for many hours beyond that time which nature is capable of sustaining herself without refection and repose, that justice could not be done to this deponent. COCHRANE."

Sworn in Court, June 14,
1814. By the Court.

"Thomas Dewman, servant to lord Cochrane, maketh oath, and saith, That he this deponent has lived with branches of lord Cochrane's family for nearly twenty years; that he attended lord Cochrane last year to take letters and go on errands, and that he has been in the habit of going to Mr. King's manufactory almost every day; that this deponent was in lord Cochrane's house, in Green-street, Grosvenor-square, on the 21st day of February last, when an officer came in an hackney-coach, about ten o'clock in the morning; that this deponent opened the door and spoke to the officer in the coach, who asked if lord Cochrane was at home; that this deponent replied he was not, upon which the officer asked the deponent if he knew where lord Cochrane was gone to, which deponent answered, that he believed his lordship was gone to breakfast with his uncle in Cumberland-street; that the officer then asked him if he could let him have a slip of paper, and a pen and ink, which this deponent said he could; that this deponent then opened the coach door, and the officer came into the house, and went into the parlour, where this deponent gave him a small slip of paper, upon which he wrote a few lines by way of note, and desired this deponent to take the same to lord Cochrane in Cumberland-street; that this deponent went immediately into Cumberland-street, but finding that lord Cochrane was gone, he returned with the note to the officer in Green-street; that on his return the officer asked deponent if he knew where he could find him, that deponent then told the officer he had been ordered by lord Cochrane to follow him to Mr. King's manufactory with a glass globe, and thought it probable he might meet with his lordship there, and if he did not, he would then go to the Admiralty, where he understood his lordship was to go that day; that the officer then took back the note from this deponent, opened it, and wrote a line or two more, and then re-sealed it and gave it to deponent, requesting him to take it immediately to Mr. King's manufactory, and that if he did not meet with lord Cochrane there, he would take the note to the Admiralty, and if his lordship had not been at the Admiralty, to leave it there; that on the officer's requesting deponent to go to Mr. King's manufactory, he told the deponent that his finding lord Cochrane was of consequence, and therefore begged deponent to be as expeditious as he could, and if necessary to take a coach; that this deponent did not take a coach, but went instantly to Mr. King's manufactory, where he met lord Cochrane and delivered him the note, which he opened in deponent's presence; that upon opening the note, lord Cochrane asked deponent several times if he knew who the gentleman was that had written it, and upon deponent's informing him he did not, lord Cochrane made several enquiries as to his appearance and dress, observing that he could not make out the whole of the note, or who it came from; to this deponent answered that he was an army officer; upon which lord Cochrane, having torn the note, threw it down, and then said, "Very well, Thomas, I'll go back;" that from lord Cochrane's manner and appearance, and the questions he put to deponent on his delivering the note, this deponent verily believes that his lordship did not know from whom it came; and this deponent further saith, that when the officer came into Green-street, as above stated, he was dressed in a grey great coat, such as the guards wear, which was buttoned very close round the body up to the breast, and that such part of the under coat as he could see was of a dark *green* colour; that upon the officer's coming out of the coach into lord Cochrane's house, he brought with him a sword, and a small leather clothes-bag or portmanteau, which deponent believes might have held a change of clothes; that this deponent further saith, that he was hired by his lordship at Christmas last to go into the country, and relieve Richard Carter, his lordship's sea-steward; that this deponent left London about the 25th day of February, and Richard Carter, the sea-steward, then came to town for the purpose of accompanying lord Cochrane to his ship.

"Thomas Dewman."

Sworn in Court, June 14,
1814. By the Court.

"Mary Turpin, cook-maid to lord Cochrane, maketh oath and saith, that she went into his lordship's service on the 18th day of February last, and that she was in the house on the 21st day of February, when an officer came there, and that she was in the kitchen at the time the coach drove to the door; that she saw an officer alight from the coach and come into the house; that he arrived a little before nine o'clock; that this deponent went twice into the parlour while the officer was there, and doth most positively swear, that he wore a grey great coat, buttoned up, with a dark green collar or green facing under it. That the officer had with him a dark military cap with a gold band round it, and also a sword, and a small portmanteau. Mary Turpin."

Sworn in Court, June 14,
1814. By the Court.

"Eleanor Barnes, housekeeper to lord Cochrane, maketh oath and saith, That she has lived with his lordship since January last, and well remembers being told that an officer came to his lordship's house in Green-street, Grosvenor-square, on Monday, the 21st of February last; and this deponent further saith, that at the time the officer arrived, she was not at home, but that she returned between eleven and twelve o'clock. That seeing a cap in the parlour, she enquired of Mary Turpin whose cap it was, and that the said Mary Turpin replied, that it belonged to an officer who was with his lordship in the drawing-room; and this deponent further saith, that she took up the cap which was of a dark brown colour, with a gold band and tassel, and immediately afterwards went to her room and did not see the officer. That this deponent never saw captain Berenger to her knowledge. Eleanor Barnes."

Sworn in Court, June 14,
1814. By the Court.

"Sarah Bust, of No. 4, Great Mary-le-bone-street, in the county of Middlesex, spinster, maketh oath and saith, That she lived a servant to lord Cochrane for nearly twelve months, and that she quitted his service on the evening of the 21st of February last; that she well remembers an officer coming to his lordship's house in Green-street, in the morning of that day; that the officer sent the man-servant out; that the officer had a grey great coat, which was buttoned up to the breast, and that the neck of his under-coat, or such part as she could see, was a dark green; and he had also with him a military cap.

"Sarah Bust."

Sworn at my Chambers, June
13, 1814, before me, S. Le Blanc.

Here, Sir, I submit, is ample refutation of the * * * * aspersions cast upon me from the bench. I trust that the house will be satisfied that I *did, at the earliest possible period*, make a *true* and *full* disclosure of all that passed between me and De Berenger on the 21st of February, and that he did not appear before me in the "*costume of his crime.*"

Of all tyrannies, Sir, the worst is that which exercises its vengeance under the guise of judicial proceedings, and especially if a jury make part of the means by which its base purposes are effected. The man who is flung into a prison, or sent to the scaffold, at the nod of an avowed despotism, has at least the consolation to know, that his sufferings bring down upon that despotism, the execration of mankind; but he who is entrapped and entangled in the meshes of a crafty and corrupt system of jurisprudence; who is pursued imperceptibly by a law with leaden feet and iron jaws; who is not put upon his trial till the ear of the public has been poisoned, and its heart steeled against him, falls, at last, without being cheered with a hope of seeing his tyrants execrated even by the warmest of his friends. In their principle, the ancient and settled laws of England are excellent; but of late years, so many injurious and fatal alterations in the law have taken place, that any man who ventures to meddle with public affairs, and to oppose persons in power, is sure and certain, sooner or later, to suffer in some way or other.

Sir; the punishment which the malice of my enemies has procured to be inflicted on me, is not, in my mind, worth a moment's reflection. The judge supposed, apparently, that the sentence of the pillory would disgrace and mortify me. I can assure him, and I now solemnly assure this House, my constituents, and my country, that I would rather stand in my own name, in the pillory, every day of my life, under such a sentence, than I would sit upon the bench in the name and with the real character of * * * * * * for one single hour.

Something has been said, Sir, in this House, as I have heard, about an application for a mitigation of my sentence, in a certain quarter, where, it is observed, that *mercy* never failed to flow; but I can assure the House, that an application for pardon, extorted from me, is one of the things which even a partial judge and a packed jury, have not the power to accomplish. No, Sir; I will seek for, and I look for, pardon *no where;* for, *I have committed no crime.* I have sought for, I still seek for, and I confidently expect JUSTICE; not, however, at the hands of those by whose machinations I have been brought to what they regard as my ruin, but at the hands of my enlightened and virtuous constituents, to whose exertions the nation owes, that there is still a voice to cry out against that haughty and inexorable tyranny, which commands silence to all by parasites and hypocrites.

Lord Cochrane, after having read his defence, addressed the House nearly as follows:—Having so long occupied its time, I will not trouble the House longer, than to implore it to investigate the circumstances of my case. I think I have stated enough to induce it to call for the minutes of the trial: all I wish is an enquiry, and had I not been prevented from attending the House in an early stage of this unfortunate business, and from entreating it to make at that time the necessary investigation, I should not now have been placed in this unhappy predicament. I did speak to sir Francis Burdett, and to Mr. Cochrane Johnstone upon the subject, but Mr. Johnstone said to me, "Cochrane, you know you have uniformly failed in all your exertions in the House, and, therefore, I strongly advise you not to do it.—If you do, I wash my hands of the consequences which your imprudence may lead to." I lament, most bitterly, that I did not pursue my own intention.

Many important facts yet remain to be considered, and I trust that the House will not come to a decision with its eyes shut. I entreat—I implore investigation. It is true, that a sentence of a court of law has been pronounced against me—that punishment is nothing, and will to me seem nothing in comparison with what it is in the power of this House to inflict. I have already suffered much, but if after a deliberate and a fair investigation, the House shall determine that I am guilty, then let me be deserted and abandoned by the world. I shall submit without repining to any the most dreadful penalty that the House can assign. I solemnly declare before Almighty God, that I am ignorant of the whole transaction, and uniformly I have heard Mr. Cochrane Johnstone deny it also. Into the hearts of men we cannot penetrate: we cannot dive into their inmost thoughts, but my heart I lay open, and my most secret thoughts I disclose to the House. I entreat the strictest scrutiny and a patient hearing. I implore it at your hands, as an act of justice, and once more I call upon my Maker, upon Almighty God, to bear witness that I am innocent. He knows my heart, he knows all its secrets, and he knows that I am innocent, and ignorant of the whole transaction.

The noble lord then handed to the clerk, various letters and affidavits for the information of the House.

The *Speaker* said, the noble lord having now concluded his defence, will please to withdraw.

Lord *Cochrane.* I shall withdraw, Sir. I cannot too often or too earnestly implore the House to enquire. Never in the history of this country, was a case of such gross and cruel injustice recorded. I could submit to any punishment, however severe, after due enquiry, but I entreat the House to give me an opportunity of proving how the bank-notes came into the hands of Mr. Butt, and other strong circumstances to which I have referred in the course of my defence; and I pledge my honour, that not a doubt will remain on the mind of a single member in the House.

The noble lord then withdrew. The Speaker proposed, that his lordship should be remanded into the custody from which he had been brought, which, on the motion of lord Castlereagh, was ordered, and the necessary warrants of the Speaker were ordered to be made out accordingly.

Lord *Castlereagh* rose and said, that before the House proceeded to the question which an hon. member was to propose, he could not avoid expressing his sense of the very painful and difficult situation in which the House was placed. If one sentiment was more prevalent than another, it was an anxious desire to hear patiently all that the noble lord could utter, but the House would also feel that much that had been offered was not given in justification of the individual, but in inculpation of the most exalted characters in the country. It was happy for Englishmen that by the form of our constitution, no character was so high, no authority so exalted as not to be amenable to the laws of the land. It was, however, a great abuse of a defence in parliament to make it the medium of a charge to which no answer could then be given. His lordship said, he had once or twice hesitated as to the fit course to be pursued, but he felt how difficult it was for the House to draw the exact line that in such cases ought to be pursued. An indulgent and liberal interpretation was always to be put upon expressions used on occasions like the present. It was the less necessary to interfere during the course of what the noble lord had offered, because he was sensible that the judgment and wisdom of parliament would be able to separate the inculpation from the justification; but elsewhere the same prudence would not probably be exercised, and if the defence of the noble lord were to be circulated, it would be the publication of libels and calumnies against the most sacred characters in the nation, and against the system of jurisprudence, which had hitherto upheld itself in spite of all attacks; in this view the defence just made must be considered a wanton abuse of the indulgence extended by the House. For the sake of public justice, and of the jurisprudence of the country, his lordship felt it necessary now to observe, that if, on any future occasions it was deemed fit to interpose in point of law, regarding the publication of this defence, none of the parties accused could hereafter say that a want of warning was an additional feature of severity in their cases.

Mr. *Broadhead* then rose to submit his motion to the House. The duty that he was called upon to discharge was, in this instance, extremely painful. It was impossible for any liberal mind to contemplate the situation of the individual who had just left the House, without the deepest regret that the same man who had once trodden the path of honour, should now be involved in the labarynths of disgrace. He lamented, with unfeigned sincerity, that the justice which the House owed to itself, could not allow it to spare an individual, whom he would not, by any thing he could say, attempt to sink deeper in disgrace. On public grounds it was necessary to bring forward the subject, however distressing the discussion might be to private feelings. He would abstain from making any remarks upon the defence, however objectionable it was, leaving the noble lord in full possession of every advantage it gave him. He should simply confine himself to those remarks which the case suggested, and which his judgment prescribed, leaving it to the wisdom of the House to determine upon the steps it would pursue. He came not forward upon this occasion as an accuser, nor did he presume to constitute himself a judge of the guilt of the party; but it being a matter of publicity that certain proceedings had taken place in a court of law, the result of which was, that two members of the House were involved in a charge affecting their characters and conduct, under such circumstances he felt it to be his duty as a member of parliament to call the attention of the House to the subject, with a view to the maintenance of its honour and purity. He did not conceive it necessary to go into any detail of precedents, thinking the principle which was established by the case of Mr. Walsh, sufficient for his purpose. There the individual had been convicted of felony, but the verdict was reversed by the judges, and in the debate upon the question, it was urged, that the conviction being destroyed in a legal sense, Mr. Walsh was to be viewed as an innocent man; yet the House had proceeded to expulsion, being of opinion, that sufficient guilt was proved to render the individual unfit to continue a member. Such being the power and the practice of the House, it was to be considered whether the record upon the table did not afford sufficient authority for the House to say, that the members implicated on this occasion, were so stigmatized and disgraced as to be unworthy any longer to retain their seats. It would be easy to descant upon the enormity of the crime, but that was not within the line of his duty; nor would it be proper to wound personal feelings by bitterness of reproach and keenness of invective. Neither did he presume to dictate to the House the measure it ought to adopt: he only offered such a motion as his humble judgment suggested, to prevent the stain that would otherwise be attached to parliament. If the House of Commons was of importance to the constitution, or if the exclusive rights it possessed were of any value, the private purity and political virtue of its members were of equal consequence, since without it both the one and the other would be destroyed. Under all the circumstances, he did not think it necessary to trouble the House further, under the full persuasion that in deciding, it would be guided by a due regard to justice to the parties, as well as to its own character. He should move therefore a declaratory resolution, founded upon the record of conviction, stating, "That it appears to this House by the said record, that the right hon. lord Cochrane, therein called sir Thomas Cochrane, a member of this House, has, upon an indictment found against him by the name of sir Thomas Cochrane, late of the parish of Saint George, Hanover Square, in the county of Middlesex, knight of the Bath, been convicted of a conspiracy, with a wicked and fraudulent intention to thereby cheat and defraud his Majesty's subjects of divers large sums of money, as in the said record is mentioned."

Mr. *Browne* said, he rose under greater embarrassment, than he had ever before experienced, to propose to the House, with all humility, the course which, under the circumstances of this case, it would in his mind be most consistent with justice that the House should pursue. The House had heard, with all the attention which was due to a case of such importance, the grounds on which the noble lord had endeavoured to rescue himself from the effect of the conviction. And it had heard also the single ground on which the hon. member had rested the proposed vote of expulsion. of the question which appeared to him to present itself for the decision of to-night, was, whether the record of the conviction of the court below, was that document which of itself compelled the House to come to the vote of expulsion, which had been proposed by the hon. member; or whether, after all that had been said by the noble lord in his defence, the House should be of opinion, that the case furnishes matter to make it incumbent on the House to pause before it comes on such a conclusion, and to satisfy itself upon a careful examination of the evidence, and by the force and conviction of its own understanding, that the expulsion of the noble lord is the conclusion to which it must arrive in the exercise of that justice which the House is bound to administer.

In the part which he had taken, unsuccessfully, upon a former occasion, to induce the House to look beyond the verdict, and to found its judgment upon the evidence which had been taken in the cause, his attention had been drawn to the subject, from the unsuccessful attempt which had been made by the noble lord to obtain a new trial, in consequence of a rule of the court, which appeared to him to operate with extreme severity upon the noble lord. He felt it extremely hard, that the noble lord, though loudly complaining of the effect of that verdict, should be denied that opportunity of bringing his case before the revision of a second jury, though involving consequences so highly important to him, which in a case of less importance would have been afforded, without the intervention of such a rule; and perceiving that he had lost that opportunity of a rehearing, which he anxiously solicited, and which, whatever confidence may be due to the ability and integrity of our courts of justice, is nevertheless found to be essential to the benevolent and to the rightful administration of justice, he felt it inconsistent with his notions of what was due to the importance and to the justice of the case to be governed in the part which he was to take upon it in this House, by a conviction, that there was the slightest reason to suppose, doubtful or questionable; and if he felt that anxiety at that moment, from the mere circumstance of the noble lord being refused an opportunity of bringing his case to a re-hearing, he felt that anxiety in a tenfold degree at the present moment, when he found the case surrounded with doubts and difficulties, and pregnant with matter, which called upon the House to examine the case, not with a view to affect or interfere with the judgment of the court below, but with a view to the dignity and to the justice of its own proceedings, distinct in their nature from the proceedings of the court below, and leading to a separate and distinct judgment on the part of the House, and that too, in all probability, the very severest that it was in the power of the House to inflict. The very course which the debate had taken, would of itself, make it desirable that the House should be in possession of the evidence of the case; for though the hon. member, in a speech, distinguished for that moderation and candor, which was to be expected from his cultivated mind, has wisely confined himself to the conviction below, and has relied upon that conviction, as of itself sufficient to warrant the vote of expulsion; yet the noble lord, who has been heard in his defence, has necessarily and unavoidably adverted to the facts and circumstances of the case, and so materially, indeed, as to make it impossible for the House to decide on the weight that may be due to the noble lord's explanation, without being aware of the bearing and tendency of that evidence, upon which his explanation rests. Unless, therefore, the House meant to reject altogether his statement, and to pass it by as deserving of no notice, in opposition to the conviction (and he could not believe, that they intended such a mockery upon their own proceedings, and such a wanton delusion upon the feelings of the noble lord, as to afford him an opportunity of being heard in his defence, without meaning to pay the slightest attention, or to be influenced, in any degree, by what might be urged in his justification) it was impossible for the House to come to any satisfactory conclusion, without enquiring into the evidence, as commented upon, explained, or denied, by the noble lord. It was admitted, in the course of the discussion which took place upon the subject a few evenings ago, that if the conviction of the court below was any way questionable, from the misdirection of the judge, or from the misconduct or partiality of either judge or jury, it was incumbent on the House to examine into the evidence of the case, with a view to the perfect satisfaction of their own minds, before they pronounced their own separate judgment; and, indeed, the admission was scarcely necessary, because the power or the right of this enquiry, is inherent in, and necessarily belonging to the judicial functions of the House, and could not possibly be separated from it; the question then is, has the noble lord urged any thing to shake the effect of the conviction, or to induce a doubt as to his being implicated in the fraud of the conspiracy?—If such feeling has been produced by any thing that has fallen from the noble lord, it is incumbent on the House, if they would permit him to say so, to examine into the case upon its own evidence, and to determine for themselves according to their own conviction, whether the guilt of the noble lord is so apparent and unquestionable, as to make it fit and just to expel him from this House. What, then, has been urged by the noble lord to shake the necessary confidence in the verdict below? He had had no previous communication with the noble lord, and he was afraid he should but feebly advert to the several points relied upon in his defence. He had, in the first place, in the face of this House, in the hearing of his constituents, and in the presence of his God, solemnly proclaimed his innocence. It had been said, on a former occasion, by an hon. and learned gentleman (the Attorney General) to use his own terms, that few persons were to be found "*complaisant* enough" to admit the justice of their own condemnation. He would not contend, in this respect, with the experience of the hon. and learned gentleman; but, judging from his own feelings, and according to his own conception of the power of our nature, he could not believe, that with the mind, the habits, and the feelings of such a man as lord Cochrane, he could persevere in protesting his innocence, after a verdict of conviction by a jury of his country, after a sentence which exposed him to the pillory, unless he was rendered firm enough to bear up under the accumulated pangs of such a situation, by a consciousness of innocence. It was that consciousness alone which could support him in his affliction, and arm him with strength enough to raise his voice, in the awful presence of this House, to avail himself of the last opportunity of protecting his honour, and proclaiming his innocence. The protestation, therefore, of the noble lord, in the solemn manner in which it had been made, had shaken, he acknowledged, in some degree, the effect of the verdict, and raised an irresistible anxiety in his mind, to look at the foundations of that verdict, and to be satisfied that that verdict was rightly given. He could not reconcile it to his duty, and to his conscience, to deal out so severe a measure of punishment, as that of expelling a member from his seat in that House, unless satisfied, by the conviction of his own understanding, that the member had committed an offence that deserved that punishment. He was discharging the duties of a judicial character, and he could not depart from that which appeared to him to be the course of justice: but what more had been offered by the noble lord? The noble lord had entered into a minute and detailed examination of that part of the evidence which connected him with this conspiracy, and had given a satisfactory explanation (at least to his own mind,) of those circumstances upon which his connection with the case was founded. Was the House competent to judge of the effect of this explanation, without looking at the bearings and tendency of the evidence upon which the explanation rests? Was the House competent, upon the mere transitory effect produced by a speech, to bear in mind all that had been said, to tear in pieces the connection of the noble lord, and to decide, without that anxious enquiry which is due to a case involving consequences so deeply important? If the House felt itself competent to such an awful purpose, in the present state of the subject, uninformed as it was, except from the record of the conviction, he was bound to acknowledge himself not one of that number, and to lay in his claim to weigh all the circumstances deliberately in his mind, before he pronounced a sentence, in which the interests of the public, and the interests of an individual, were so materially involved. And what more has the noble lord urged?—The noble lord has arraigned the conduct of the judge who tried him—he has accused him of partiality in the conduct of the cause, and of error in his charge to the jury, in his statement of the evidence, in a most material point. He presumed not to express an opinion upon the justice of this imputation upon the conduct of the noble judge; the integrity and ability with which the noble lord conducts the duties of his high situation, the public has been long familiar with, and his respect for our courts of justice, and for the noble lord who presides, would prevent him from saying a word that could add to, or strengthen, the imputation that has been cast upon his conduct; but the House cannot shut its ears to what has been alledged by the noble lord—it cannot pass it by unheeded and unnoticed. The noble lord over the way (lord Castlereagh) had indulged himself in terms of reprobation of this part of the noble lord's defence, and had been pleased to term it an inculpation of the noble judge, and not an exculpation of himself; but he would ask, how could the noble lord do otherwise than inculpate the noble judge, if he had reason to think that the charge to the jury was an erroneous one, and that his general conduct was, in other respects, partial and unbecoming his high situation? The inculpation of the one was necessary to the exculpation of the other, or so connected, as to make it a necessary part of the noble lord's defence, if he really believed, that he was warranted in making the charge against the judge; but how could the House pass by the circumstance? It was gravely alleged, that the noble judge had stated that to the jury, as matter of evidence, which was not to be found in the body of evidence, and which, in fact, was not given in evidence: could the House be indifferent to such an allegation? Can they pass it by, as not deserving of notice, in a case like the present, where so much was at stake, both as relating to the interests of the public, and to the interests of an individual? He thought it impossible; but, at all events, he would not be governed in the sentence he was to pronounce upon the case in this House, by a verdict thus impeached; he felt himself bound to look into the case upon its own facts and circumstances, and to decide upon his own conviction: for all these reasons, he took the liberty of moving, "That the statement made by the noble lord, together with the affidavits accompanying that statement, be referred to a select committee, with power to examine witnesses, and send for papers, and that they do make a report thereupon to the House."

The Amendment being put,

The *Attorney General* rose, and entered upon a difinition of the difference between the present case and those on which the House had decided on former occasions. On these it had been proposed that the House itself should send for papers; but the foundation of the present motion was totally different; as it rested on a supposition that the learned lord at the head of the court below had exceeded the forms of justice, by referring to a rule which rendered a new trial irregular. Respecting the justice and wisdom of this rule he should not stop to argue; that it was a rule long in the usage of the court, had just been admitted. But be that as it might, that rule did not stand in the way of the noble lord; for whatever he had thought necessary to state to the court, had been heard to the fullest extent; and it was the unanimous opinion of the judges that there was no occasion for further proceedings. As to the point which went to impugn the character of the court, it was perfectly unnecessary for him to set about making a defence. But there had been two questions proposed, on which he desired to deliver a distinct opinion. Respecting the first question, concerning the record, he would answer, in the most perfect and absolute manner, that the learned lord never saw the indictment, or any copy or abstract of it, except when it was handed up to him to make his observations on it; and he would say in honour of the profession, that there was no man in Westminster-hall who would suffer himself to be employed, or even approached, by a person who should dare to approach the judges on such a matter, or would suffer himself to be approached by them. He would speak of this as a universal proposition, which never had been nor ever would be broken. But even the verdict had been arraigned; and he was sorry that this bold accusation had not met with an earlier answer, for he could not sit and hear such a charge as had been made that day on the tribunals of the country, without thinking it his duty, if there were the least foundation for it, to declare, that the trial by jury ought instantly to be abolished, as a curse and scourge on the nation. It had been stated in effect, that the judge was partial and wicked; and that the jury had been selected, picked, and packed together, by an officer dependent upon and removeable at the pleasure of the court. It was, indeed, with difficulty that the House could restrain its indignation on hearing these foul aspersions; for it was evident that the judge could not by any possibility controul the selection of a jury. The hon. and learned gentleman then entered into a detail of the manner in which special juries were selected. The master of the crown-office was, in fact, always one of the most respectable men in the profession: he was not appointed by political influence, but by his court; and he held his office during good behaviour, which was the same tenure as that of the chief justice. What would those members of the House who served on special juries at the assizes say, if they were accused of being packed? Yet they were packed quite as much as the jury which tried the noble lord. The master of the crown-office merely turned over the leaves of the book which was given him by the sheriff, and in the presence of the agents of both parties, selected 48 names. Each party strikes off one, till the number is reduced to 24: these 24 are to appear at the trial, and no one knows which 12 will be selected, as it depends solely on the presence or absence of the jurymen. It was the same in criminal cases. This charge had frequently been brought; it was very common in Wilkes's time, and it was then refuted in the same manner as he had now refuted it. The chief justice never saw this book of freeholders; the master never saw it till the time of the trial, when the sheriff gave it to him: and he believed it would be difficult to shew, that the sheriffs of London of late years had been disposed to pack juries from subserviency to the crown. But there was this peculiarity in the present case, that it was not left to the agents to reduce the list, but Mr. Cochrane Johnstone had himself attended when the list was reduced from 48 to 24. It had happened that the jury who tried the defendants were nearly all new men, probably selected on that very account: but if, which was impossible, the judge should know the disposition of any man, and wish to influence him, yet he had not the smallest power. The learned gentleman then pronounced a panegyric on juries, saying, that in the course of his long experience, though he sometimes disapproved of a verdict, he never saw one which he believed to be corrupt; and as to this particular jury, could a better be chosen than twelve respectable merchants conversant with business and the world? He should give no opinion as to the guilt or innocence of the noble lord, but he trusted he should be pardoned for rising when the chief tribunal of the country was arraigned.

Mr. *Brand* could not agree that the motion before the House had in effect been discussed on a former night. On that occasion, had there been a division, he should have voted with the Attorney General, but he thought that strong grounds should be laid, before the House should send a representative back to his constituents, and that in fairness to the noble lord, and in justice to the case, and to the character of the House of Commons, a further enquiry was necessary. He had always had doubts as to the privity of lord Cochrane to the conspiracy of which he had been convicted. The presumption against him had been founded on the two circumstances of the dress, and the impossibility of accounting for the banks notes exchanged for the draft of the noble lord, which were found in the possession of De Berenger. The noble lord had stated, that he should be able to prove the means by which the bank notes passed to De Berenger, and that five persons would prove that De Berenger had appeared in his house in the dress which the noble lord had described in his affidavit. The House, he trusted, would not think it advisable, at a time when the noble lord offered to explain all that was mysterious, and had been inexplicable in the affair, to come to a hasty decision. The country had been carried away by a variety of publications on the subject, and by that self-constituted committee of the Stock Exchange; and, on the other hand, the noble lord, from a consciousness of innocence, had been inattentive to a culpable degree, while his prosecutors had been so active—indecently active, in influencing the country. He hoped, therefore, that the committee would be appointed, and he thought a committee of the whole House would be most proper for the examination.

Mr. *Croker* rose to say a few words on one particular point, which had called forth the surprise of the House, as well as some observations from an hon. gentleman. The noble lord had asked whether the Lord Chief Justice had not been in communication with the first lord of the Admiralty?—Whether he did not even wait upon that nobleman, to advise him to suspend him from his ship, and that his lordship had advised the prosecutors how to frame their case, according to a particular precedent? From being in the confidence of the noble lord at the head of the Admiralty, as well as from the situation he held, he must say, that to his entire belief, no such interview had taken place; that no such steps had been taken; that the resolution for suspending the noble lord from his command had been discussed at an open board; and that the noble lord, at the head of that board, had stated the facts to him which he just declared; assuring him that no communication whatever, either directly or indirectly, had taken place between him and the Lord Chief Justice on the subject in question. The noble lord, who had just been before the House, must therefore have been totally misinformed when he was induced to make the assertion.

Mr. *Barham* did not wish to be understood to have a community of feeling with the noble lord in all that he had said in the course of his defence, but supposing him to be innocent, it was not to be expected that he should speak in cold blood on the subject. He had always great doubts of the guilt of the noble lord; those doubts had gradually increased, and they had grown stronger within these few hours, after the explanations given by the noble lord. The noble lord had laboured under great difficulties; for, considering the previous self-erected tribunal to which he was subjected, he must have had not only a very perfect, but a very happy innocence, to have escaped. The noble lord, too, through the pride of innocence, had neglected the proper means of defence, imprudently, certainly; for, however innocent, he should have taken measures to establish that innocence beyond doubt. He had also been deprived of the advantage of a new trial, in which he might have supplied his former omissions. Under such circumstances the hon. member said, he conceived the noble lord might be as innocent as any one in the House, and, therefore, he felt it impossible to add to the other punishments which the noble lord was condemned to endure, by assenting to a motion for expulsion. Such a motion, indeed, appeared to him inconsistent with a due regard to justice and humanity. The noble lord had, it was to be recollected, suffered already most severely. He had been degraded in his rank and profession, and had been sentenced to an ignominious punishment. To all this, which might be the result of an unjust sentence, he could not consent to add the still more harsh sentence of expulsion from that House, at least without some previous enquiry by the House itself. The case was, he felt, peculiary embarrassing from the nature of the verdict, and the guilt imputed; but still, from the statement of the noble lord, and from a view of all the circumstances of the case, he was unwilling to go farther than the sentence of the court. At all events, he should enforce the propriety of a farther investigation before a vote of expulsion should be acceded to, and he would recommend that such investigation should be conducted by a committee of the whole House.

Mr. *Ponsonby* began by observing, that if the severest and bitterest enemy of the noble lord had been employed to injure his cause, such enemy could not have done it more injury than the noble lord himself had that night endeavoured to do to it; but he trusted the House, in considering the real merits of the question, would dismiss such conduct from its recollection. Indeed, he had no doubt that such would be the case—for he never witnessed so much candour, moderation and tenderness as the House had throughout manifested towards the noble lord. That House would, therefore, he was satisfied, be ready to separate the the conduct to which he had alluded, from the facts of the case. Some one had appeared to hold, that to impeach the charge, was tantamount to an impeachment of the rectitude of the judge by whom that charge was made, and that, therefore, such impeachment should be decidedly discountenanced; but he was persuaded, that no one could suppose him inclined to cast an imputation upon any judge, and sure he was, that to question the rectitude of a judge's charge, implied no imputation whatever. Indeed, no such conception prevailed, for nothing was more common than an application for a new trial upon the special ground of a judge's misdirection to the jury, either as to case or fact. Yet it was never understood, that any judge felt himself offended by such a motion, or that it implied any imputation upon his general rectitude. For himself, he could say that no one was more likely to feel a higher respect for the judicial character, but yet he could never feel that respect so far as to believe in the infallibility of a judge; and, therefore, he could not subscribe to any such doctrine as that upon which he had animadverted. The law itself, indeed, supposed the infallibility of a judge by providing the remedy which he had stated. The noble lord who had made his defence that night, had stated one fact, which, if true, certainly illustrated that infallibility. For the noble lord had stated, that the judge before whom he was tried had, in his charge to the jury, said, that De Beranger had presented himself to the noble lord, "blazoned in the costume of his crime," although not a tittle of evidence was adduced to sustain such an allegation. This he could not help thinking a very extraordinary allegation, if the statement of the noble lord was true—and that the judge did mis-state a very material point to the jury, which was particularly calculated to mislead their judgment. It was said by the learned Attorney General, that although a new trial was refused to the noble lord, he had still the advantage of an opportunity to state his case, and to explain his conduct. But to this assertion, he could not subscribe, and he hoped that he should not be charged with any disrespect to the court, in declaring that he was quite unable to comprehend the rule which had been pressed against lord Cochrane's motion for a new trial. Indeed, he could not conceive such a rule to have any foundation in law, justice, or reason. He did not presume to say that this rule was unjust, but that he did not comprehend the grounds upon which it could be justified. For instance, was it meant by this rule, that if a verdict of guilty should be pronounced against six persons, five of whom were really guilty, while one was really innocent, the innocent should be refused a new trial, although perfectly able to establish his innocence, because the others over whom the innocent might have no controul or influence, should decline to join in the motion? If so, how could such a refusal be sustained upon any principle of equity, or law, or reason? What, was an innocent person to suffer through any mistake or deficiency of evidence, because the guilty, with whom he might be connected by a prosecution, should not think proper, or could not be controlled, to join in an application for a new trial? He declared that to his mind such a rule was totally incomprehensible; and if it were to be maintained, what was to become of the highest authority, by whom it was said that it was better that ninety-nine unjust persons should escape, than that one innocent person should suffer? That no such rule as that to which he objected ever prevailed in the court of King's-bench in Ireland, he was prepared to state, and he understood that it was a rule which had been but a few years existing in the court of King's-bench of this country. It was not, indeed, as he was assured, at the utmost, twenty years old. He had never heard of the cause which gave birth to such an extraordinary rule, and he should be glad to hear upon what foundation, in justice or reason, it could be sustained. It was said, that the application of only one person convicted of a conspiracy, for a new trial, should not be acceded to, because, upon such trial, the case of all the other conspirators must again also be gone into. But even so, he saw no objection to the application of the innocent; for upon what ground of fairness should one man be precluded from an opportunity of manifesting his innocence, because the conduct of others would be subjected to a second investigation, and their guilt thus publicly rendered more glaring? Surely the desire to save trouble could never dispose any court to make a rule that tended to operate against just and necessary investigation—that was too likely to make the innocent suffer for the guilty. The right hon. gentleman here took notice of lord Cochrane's explanation respecting the bank-notes found in the possession of De Berenger, and traced into his hands, observing, that this explanation was calculated to make a material impression in the noble lord's favour, as it served to show, that these notes might have found their way into the possession of De Berenger, without the noble lord's privity. This explanation, indeed, appeared to make a great difference in the merits of the noble lord's case, and therefore must, with other circumstances, indispose the House to agree to a motion of expulsion, at least without some further enquiry. From such an enquiry, he could not conceive that any danger could arise of an improper interference with the due administration of justice. For it was not proposed to interfere with the sentence of the court; but that House being called upon to superadd to that sentence the expulsion of the noble lord, it became its duty, for the sake of justice and its own character, fully and candidly to consider the grounds of such an extraordinary proceeding. He protested, therefore, against the idea that such consideration would involve any interference with the jurisdiction of the court of King's-bench, and with a view to that consideration, he should recommend the appointment of a select, and perhaps a secret committee, to investigate the allegations of the noble lord, and to report the evidence to the House. That such a committee was likely to involve in its proceedings any reproach upon an interference with the due administrution of justice, he did not at all apprehend, and such an apprehension could not therefore influence his judgment. As to the declaration of the Attorney General, that the noble lord was afforded all the advantage of a new trial, although his motion was refused, he could not admit the fact; for the noble lord was notoriously without the assistance of counsel; and unless it was maintained, that a man unlearned in the law was likely to make as much impression as a learned counsel, the position of the learned gentleman was not tenable. On all these grounds, the right hon. gentleman thought the House should agree to the appointment of a committee of enquiry, or at least adjourn the discussion with a view more coolly to consider the merits of the case before it came to any decision. At all events, he declared, that as the case at present appeared, he could not sleep upon his pillow if he voted for the expulsion of lord Cochrane.

Lord *Castlereagh* said, that he was anxious thus early to state his view as to the course of proceeding submitted to the consideration of the House. He was anxious to enter his protest against any departure from the fundamental principle of parliamentary practice by any assumption of, or interference with, the judicial functions. It was material for the character and future conduct of the House to decide what course it ought to pursue, not with respect to this case particularly, but with respect to a general principle, and in this decision he did not mean to prejudice the individual under consideration, but to conform to parliamentary practice. The motion before the House did not involve the expulsion of the noble lord. But the main question for consideration, and that to which he wished to point the consideration of the House, was, whether the verdict of a jury should be deemed a sufficient ground upon which to rest a motion for the exclusion of a member? Whether a jury should be deemed a competent jurisdiction to influence the decision of that House? Upon this point, he must observe, that if such verdict were not received as competent, great injustice had been done on many former occasions where members were expelled on no other grounds. But unless the House was prepared to open a door for the investigation and revision of verdicts in courts of law, he thought the decision of the court in this case ought to be left untouched. And here he wished to impress upon the House, that expulsion could not be correctly regarded as an additional punishment or ignominy upon any member—that such expulsion could, in fact, add nothing to the turpitude or ignominy of the guilt pronounced by a court of law. Indeed, it never had been held that expulsion could rest upon any other grounds, than that the member expelled had not delivered himself from the charge legally charged upon him, and that, therefore, he was not a fit person to remain in that House. This was the general principle upon which the House had always proceeded, and he hoped that the innate sense of benevolence which influenced the House with respect to the case of the noble lord, would not allow it to depart from that principle, which departure must involve it in all the mazes of litigation, with judicial decisions to which he had before adverted. If, by such departure, the precedent which he deprecated were established, it was hardly possible to imagine to what an extent it might be abused. Probably every person who felt or fancied a sentence severe, would be found to appeal to that House, and to call for its interference. So much did he deprecate such a precedent, that he had rather submit to let an individual, convicted of an ignominious offence, remain in that House until the ordinary time should arrive for submitting his elegibility to the consideration of his constituents, than agree to the institution of a new trial of his case by that House, which would at once subject the House, as an incompetent tribunal, to the disgrace of an inadequate investigation, and subject to suspicion the hitherto unsuspected tribunals of the country. The House must be sensible of its incompetency to a trial of this case, from its inability to examine evidence on oath; and he could not help expressing his wonder, to hear the proposition of submitting to a Secret Committee above stairs, to a sort of Star Chamber, an inquisition into the conduct of the established tribunals of the country. This wonder was, he declared, materially heightened by considering the quarter from which the proposition came—by considering the legal knowledge and constitutional principles which belonged to that right hon. gentleman. He agreed with the right hon. gentleman as to the propriety of laying out of view that language of the noble lord, which must be considered rather an attack than a defence. He wished, indeed, to have entirely obliterated from the memory every thing that could be deemed uncongenial with the feelings of the House. But as to the phrase respecting the appearance of De Berenger before the noble lord in "the costume of his crime," it seemed rather extraordinary that this circumstance was this night brought forward for the first time. This alleged misdirection of the judge was certainly never mentioned by the noble lord either upon his motion for a new trial, or in his affidavits when brought up for judgment. But his main objection was to the course proposed by those who would interfere with the regular administration of justice, and thus entangle the House in difficulties of which it was impossible to see the end.

Mr. *Stuart Wortley* acknowledged the difficulty in which the House was placed, as the noble lord who had just sat down had stated, but the answer to that difficulty was, that the main duty of the House was to do justice. He had read all that had appeared upon this subject, and the effect was, that some doubts arose in his mind as to the guilt of lord Cochrane, but from the statement of the noble lord that night, he confessed that he entertained great doubts. Therefore, to use the words of a right hon. gentleman, he could not sleep upon his pillow if he voted for the noble lord's expulsion without further enquiry. He had some difficulty with respect to the nature of the enquiry which ought to be instituted; whether by a committee of the whole House or by a select committee; but he had no difficulty in stating that the House ought not to come to an immediate decision—that some time should be taken coolly to consider the case before the House finally decided. As to the reliance which the noble lord who spoke last said ought to be placed upon the verdict of the jury, he would ask, why send for lord Cochrane, or call upon him to make any defence, if that verdict was to determine the judgment of the House? In fact, with the noble lord's view of the subject, the House had already gone too far, and it was quite a mockery to hear lord Cochrane at all. The hon. member concluded with observing, that he could not conscientiously vote for lord Cochrane's expulsion, without further consideration and enquiry.

Mr. *Bankes* observed, that it had been stated by an hon. gentleman, that the noble lord might be as innocent as any person addressing them, and if so, that he ought certainly not to be expelled the House. Such a decision, however, he would venture to say, would be contrary to all parliamentary precedent. There was no instance whatever to be found in the Journals of the House, or the practice of parliament, in which expulsion had not followed the producing the record of conviction, as a matter of course. This consequence followed not only in criminal cases, but in all cases parliament reserved to itself a discretionary power of expulsion. There was one view taken of the subject by the noble lord who spoke last but one, which he thought perfectly just, namely that the vote of expulsion was not in the nature of punishment, or a vindictive proceeding against the person expelled, but a vindication of the character and dignity of those who remained. It could not be said that the refusal of the House to follow up the record of conviction by expulsion, would not affect the character and credit of the courts below. It must necessarily tend to invalidate the verdict of the jury, and thus to confirm those scandalous and unfounded imputations thrown out in the course of the defence of the noble lord, on the general jurisprudence of the country. He trusted that the House would not step out of its natural course and wholsome functions to give their countenance to aspersions of such a kind. They had no power of receiving evidence under the religious sanction of an oath, and consequently could have no power of reversing or revising the verdict of a jury, proceeding on such evidence. As to the idea of a select committee, he conceived that it would hardly be persisted in even by the right hon. member who had suggested it. Mr. Bankes concluded by observing, that he did not mean to say, that a case could not be made out, in which it would be improper to expel a member on account of the verdict of a jury: and if there was any one who, in the present instance, thought there was a rational doubt of the noble lord's guilt, he ought undoubtedly to suppose him innocent, and must necessarily vote against his expulsion.

Mr. *Whitbread* said, that however much the hon. member who spoke last, might be accustomed to consult the Journals of the House, yet he thought he could never be so entirely blinded by precedents, or buried under the records of parliament, as to imagine, because in former instances members had been expelled the House who were placed in the situation of the noble lord, that therefore parliament were to lay aside their own discretion and not to judge of every case which should be brought before them as a foundation for a parliamentary proceeding on its individual merits. Because a person was convicted of a criminal charge, were they, the members of that House, to affect so much purity, so much delicacy of character, as immediately to proceed to the expulsion of that person from the House, not stopping to enquire into the justice of the sentence, and even refusing to hear any proofs which might be brought forward afterwards to establish its injustice. It had been said, that the expulsion which was to follow the record of the conviction, was no additional punishment; but he would put it to the House, whether the bitterest of all the bitter moments which a person in the situation of the noble lord must endure, would not, in all probability, be that in which he learned the sentence of expulsion from his seat in that House. Undoubtedly, the question involved considerable difficulties, if the House should go into the enquiry. He thought, that in a question of privilege, a committee of the whole House would be the most eligible mode. He had always entertained doubts as to the guilt of the noble lord. There were certainly circumstances attending the transaction, for which he could by no means satisfactorily account. The speech of the noble lord had strengthened those doubts as to his guilt. And if such had been the effect of that speech on his mind, and on the minds of many other gentlemen, what must be the innate value of the facts contained in it, when it was evident that in the course of his speech the noble lord had gone out of his way to excite the feelings of the House against him, and to prejudge instead of advocating his own cause? Such was the force of those facts, that even an hon. member who had risen to call the noble lord to order, in one part of his defence, had candidly declared, that after hearing the whole statement, he could not conscientiously vote for his expulsion. It had been declared, that there were several parts of the charge made by the judge which were incorrect in point of fact. Lord Cochrane had also given an explanation, which he professed himself ready to confirm by evidence, of some of the most mysterious circumstances in the transaction, and which he (Mr. Whitbread) had often declared in conversation, he thought most required explanation, such as the particular dress of De Berenger, and the bank notes found in his possession. After the statement made by the noble lord, he did now firmly believe the possibility of his innocence, and if the question were pressed to a division, he should vote against the original motion. If the House were not to exercise their discretion in a case of this kind, but merely to look at the record of the conviction, it would be better to pronounce the sentence of expulsion at once, without the mockery of a defence. He thought it possible that the noble lord might have been entrapped into an apparent participation in a crime of which he was innocent, and circumstances which the noble lord had, in an agony of feeling, mentioned with respect to the conduct of a near relation of his who had absconded, seemed to warrant such a supposition. He here alluded to Mr. Cochrane Johnstone's advice to lord Cochrane, not to come down to the House with any statement on the subject previous to the trial. As a juror, if he had a doubt on his mind, he must acquit; and entertaining that doubt, if pressed to vote that night, he must say " Not guilty."

Mr. *Bathurst* alluded to the language held by lord Cochrane with respect to the conduct of the learned lord before whom he had been tried in terms of the strongest censure. To appoint a committee, would, he said, be worse than useless; nay, it was utterly and wholly impossible an enquiry of the nature recommended to them could take place. The noble lord, in the statement, which had been deliberately prepared, had urged nothing which might not be urged by any person convicted of a serious offence. The noble lord had published his innocence: so had his relation who had absconded. Many individuals, whose guilt was proved beyond the shadow of a doubt, had gone out of the world protesting their innocence. The noble lord might have a motive for asserting that which was not true. His motive for making his statement was to hold himself up in the eyes of his constituents. If an enquiry was made into the case of lord Cochrane, one must also be instituted with respect to Mr. Cochrane Johnstone, for they could not take upon themselves in this way to do justice to one, without making the same attempt in favour of the other. The noble lord had said, that a systematic plan had been formed, by his political opponents, to effect his expulsion and ruin. He might have learnt from his friend and relation, whose advice had been quoted, and who had told him what he said was never attended to, that he was not of such importance in the House as to make any party care for his absence or his presence. If the noble lord had not called forward those witnesses on his trial which were necessary for his defence, he had no one to blame but himself. He had since been able to shew no grounds on which a new trial ought to be granted. The sentence inflicted on him was disgraceful, but not more so than was necessary to punish the crime of which he had been convicted. He could see no reason for interfering with the decision of the court, and was of opinion, that the noble lord ought no longer to continue a member of that House.

Sir *Francis Burdett* condemned the tone of asperity with which the right hon. gentleman had expressed himself, and the absence of all that generous feeling, in commenting upon the defence of the noble lord, which had been observed during the discussion, till the speech of the right hon. gentleman. Not only, indeed, had that right hon. gentleman been deficient in candour, but he had grossly mis-stated the facts of the noble lord's defence. The noble lord had said, that the judge, in his charge to the jury, had stated circumstances which had not been given in evidence. Now there were matters which seemed to prove that the case was so. Lord Ellenborough had supplied evidence to the jury, and had he been upon that jury, and heard from the judge presiding, that De Berenger had gone to lord Cochrane's, blazoned in the costume of his crime, with the medallion stars, &c. he must confess, notwithstanding what might have been his high opinion of that noble lord, he should have concluded, that he could not have been off his guard, could not have been without suspicion, and that such a fact was conclusive against him: at all events, it was a fact which he thought well worth ascertaining by that House, whether lord Ellenborough had so charged the jury, because upon that charge, he believed, the conviction of lord Cochrane had mainly depended; and if what the noble lord had stated respecting it was true, then he had been unjustly convicted. Another gross mis-statement of the right hon. gentleman was with regard to the rule in court. It had been asked by the right hon. gentleman, why lord Cochrane had abandoned his legal advisers? He did not abandon them, he consulted with them; but they were of opinion they could not interfere with so good a grace as the noble lord, who was not bound by the same technicalities. Another part of the right hon. gentleman's speech, related to the conduct of Mr. Cochrane Johnstone, who, he said, had also protested his innocence in that House, and was therefore entitled to claim the same re-hearing as the noble lord, as he stood on the same footing. But here again the fact was otherwise. Mr. Cochrane Johnstone had not appeared in that House since his conviction; while on the other hand, lord Cochrane had not fled from the penalties of the law, which indeed he laughed at, anxious only to redeem his character. Lord Cochrane had seized the first moment to entreat a hearing, and having obtained it, had declared on his honour that he was innocent; and such a declaration from a man of a profession, the life and soul of which was honour and glory, ought to have weight. This conduct on the part of the noble lord had made a powerful impression upon his mind, which it would require a strong concatenation of evidence to remove. He did not mean to impute any blame to the jury, because under all the circumstances, and with that charge which was delivered to them, he believed they acted an honourable, impartial, and just part. He should be surprised, however, if that jury, now that new things had transpired, and new lights were thrown upon the question, did not feel anxious to amend their own verdict, and re-consider the case. The only difficulty he felt in considering the present question was, because lord Cochrane appeared to be so slightly connected with the transaction. It was not as if lord Cochrane had been found in the company of notorious sharpers and swindlers. If, indeed, he was at all involved in it, he had been so through a near relation, upon whose guilt or innocence he did not mean to pronounce, but from whose influence it certainly appeared lord Cochrane had acted. In expressing his reprobation of the conduct of the judge, he might, perhaps, incur the same censure as his noble friend—for so he would call him, because he verily believed that he was perfectly innocent—but he should be the basest, the meanest, the vilest of beings, if he remained silent upon a sentence, from which the gallant and eminent services of that noble lord ought to have protected him, even if he had been guilty. (Hear, hear!) and the House would deceive themselves, if they thought that no feeling of disgust was excited in the public mind by that sentence. There was not a single person with whom he had conversed (except the noble lord himself) who did not consider it as cruel and unjust, beyond all former precedent. Lord Cochrane was the only one indifferent to it as a punishment. In a conversation which he had held with him in the King's-bench, his noble friend said he did not complain of the sentence; if he were guilty, he deserved it all and more; but what he most felt was the stain upon his character, and he had almost lost his power of existing under such a dreadful load of shame. Such were the feelings of the noble lord upon the occasion. It was the first time, indeed, that the offence had been considered as amounting, in the scale of crimes, to a fraud. In the eye of the law, it was considered as a misdemeanour only; and in former and better times, six months imprisonment were considered as a very heavy punishment for a misdemeanour. But here we had a large fine, a long imprisonment, and a punishment which, he contended, was unfit to be applied to a naval officer of eminent services, holding that high rank in the country which lord Cochrane did. There was no equality of punishment in such a sentence. No one would pretend to say, that in reference to the individual who had petitioned the House on that day (M'Rae), and whose Petition seemed to contain matter important to the present question, and lord Cochrane, that the punishment of the pillory would be equal upon both of them. The pillory was never intended in this country as a punishment for persons in lord Cochrane's station. Yet, in addition to all this, the noble lord opposite had told them, that, to expel lord Cochrane from that House, was to be considered as no additional punishment. It was merely a proceeding of course, following upon the record of conviction, no matter what circumstances might attach to that conviction. There might be corruption in a judge—there might be perjury in a juryman—but still, according to the doctrine held that evening, they were to allow an innocent man to perish, provided he had once been convicted, under whatever circumstances! It was thus an hon. member on the floor (Mr. Bankes) had argued; but then he soon forgot himself, and admitted that it might be proper to go into enquiry, when a proper case could be made out. Now, if ever there was a case which called upon the feelings, the character, and the justice of that House, the present surely was one of them. A great deal had been very eloquently said by the learned Attorney General, in behalf of special juries. He (sir F. Burdett) happened to know something of the mode in which those juries were got together. He had been present at what was called the striking of a special jury, "when I happened, said the hon. baronet, to be engaged in a great law question with you, Sir." The hon. baronet then went into an examination of some parts of the evidence, and contended, that it was preposterous to oppose, to the declaration of lord Cochrane, the evidence of such men as Crane, the hackney coachman, and the post-boy Shilling, with regard to the colour of the coat worn by D Berenger; and concluded by observing upon the improbability of a man like lor Cochrane, whose whole life had been devoted to the pursuit of glory, and whos conduct had been hitherto free from reproach or stain, becoming all at once swindler and a cheat. He therefore hope the House would at least consent to paus before it decided, though for his part h saw no reason for refusing to appoint select committee.

Mr. *Wynn* thought it would be more consonant to the practice of parliament and to the principles which had uniformly guided them, to hear evidence at thei own bar, in order to come to a fit decision In cases where a divorce was applied fo parliament did not consider the verdict o a jury, giving damages, as a proof of the adultery, but required evidence to be produced, and upon that evidence, grounded its proceedings. If the House refused to concur in the motion of expulsion, i would then become indispensably necessary to bring in a Bill to reverse the judgment of the court. He had no objection, however, to a motion for delay, not because he had any doubts himself, but out of deference to those who did entertain doubts.

Colonel *Vyse* considered the expulsion of the noble lord to be the necessary consequence of the sentence passed against him in the court of King's-bench.

The *Solicitor General* opposed the motion for a committee, and defended the proceedings which had taken place against the noble lord. The hon. baronet had mentioned the forgery of the paper called l'Eclair, and had asserted, that that of which the noble lord had been convicted, had now, for the first time, been made a crime. What! was it now for the first time made a crime by the law of England for persons to conspire, to cheat, and to defraud? He denied the truth of this assertion. It had always been a crime, and it was a crime which had long been punished by pillory. He thought the connection that was established between lord Cochrane and the rest of the conspirators quite sufficient to justify the Stock Exchange committee in proceeding against the noble lord, though it might happen he was less implicated in the transaction than the others. Much had been said about the rule of court; but in point of fact, the noble lord had been allowed the privilege, when called up for judgment, of saying all that he could have urged in moving for a new trial.

Lord *Archibald Hamilton* rose in justice to one whom he thought an injured individual, as to whom he would not discharge his duty by giving a silent vote. He could not, indeed, consider the noble lord as being exactly in the same situation as before his conviction, but still there remained on his mind such a doubt as to the guilt of the noble lord, that he felt he should not do his duty, if he did not vote for further enquiry. The sentence of pillory, too, he conceived to be harsh beyond all precedent, exciting, as it had done, universal reprobation.

Mr. *Wilberforce* thought it could not but be painful for any man to deliver his sentiments on such an occasion as the present. That House had declared itself unfitted to the discharge of judicial functions, by divesting themselves of all right to try them in election cases, and delegating their powers to a committee. If, then, they were not fitted to discharge their judicial functions, were they driven to do so because our courts of justice were weak on the one hand, or corrupt on the other? On the contrary, our judicial system was the grand fabric of human wisdom in this happy land—the peculiar system of all others—the greatest among the great—the fairest among the fair. This being so, he felt it to be his duty to yield to the sentence of the judge and jury. He should doubt his own judgment if opposed to it. He was sorry to add to the pain of a brave man, whose heart was already tortured; but he must say, 'Nolumus leges Angliæ mutari.'

Mr. *Wrottesley* declared, that one or two particulars in the statement of the noble lord had made an impression on his mind, which rendered it impossible for him to give a silent vote on this question. He was aware that the appointing a committee would be an inconvenient mode of proceeding; but he thought the justice of the case might be got at by an adjournment of the debate, which would afford time for farther consideration. He understood that the whole trial was about to be printed by authority. This was, in his opinion, a good reason for postponing a decision on the subject, in order to ascertain (a thing which sometimes occurred with the best intentions) whether the learned judge, on summing up the evidence to the jury, might not have omitted some circumstance material to the case? He would therefore move, as an amendment, that the debate be adjourned until that day se'nnight.

Lord *Castlereagh*, however painful it was to him to press the immediate decision of the House, thought that it would betray a morbid sensibility to accede to the proposition for adjournment; and thus to allow loose doubts to rebut the strong presumption of the case, and to do a great injustice to the venerable persons who sat with the Lord Chief Justice on the court of King's-bench, as well as that learned person himself.

Mr. *Lockhart* was for the immediate decision.

Mr. *W. Smith* warmly urged the adjournment.

The gallery was then cleared. Mr. Browne withdrew his motion for a committee, and the House divided on the question of adjournment: Yeas 74,—Noes 142. The first, or declaratory Resolution was agreed to without a division. The House again divided on the Resolution for expelling lord Cochrane: For the Expulsion 140,—Against it 44.

*List of the Minority.*

Atherley, A.
Allan, G.
Brand, Hon. T.
Bennet, Hon. H.
Brydges, Sir E.
Barham, J.
Burdett, Sir F.
Burrell, Hon. P.
Butterworth, Jos.
Brown, D.
Challoner, R.
Ebrington, Visc.
Flood, Sir F.
Grant, Ch. sen.
Grant, J. P.
Gaskell, B.
Hughes, W.
Lambton, J.
Lloyd, H.
Montgomery, Sir H.
Milnes, R.
Maddocks, Wm.
Maginnis, R.
Mildmay, Sir H.
Moore, P.
Martin, J.
Nugent, Lord.
Newman, Rt.
Ossulston, Lord.
Power, R.
Ponsonby, Rt. Hon. G.
Russell, Lord W.
Rickards, Rt.
Rancliff, Lord.
Rashleigh, Wm.
Ridley, Sir M.
Smith, W.
Simpson, G.
Tavistock, Marq. of.
Whitbread, S.
Williams, Sir R.
Western, C.
Wortley, S.

TELLERS.
Lord A. Hamilton.
A Browne.

A new writ was then ordered for Westminster.

Expulsion of Mr. Cochrane Johnstone.] The following Resolutions were then agreed to *nem. con.* 1. "That it appears to this House, by the said Record, that the hon. Andrew Cochrane Johnstone, a member of this House, has, upon an indictment found against him by the name of Andrew Cochrane Jonstone, late of the parish of Saint Mary-le-Bone, in the county of Middlesex, esq., been convicted of a conspiracy, with a wicked and fraudulent intention to thereby cheat and defraud his Majesty's subjects of divers large sums of money, as in the said Record is mentioned. 2. That the said hon. Andrew Cochrane be expelled this House."

Letter from the Princess of Wales to Mr. Speaker.] The Speaker acquainted the House, that, since the meeting of the House this day, he had received a letter from her royal highness the Princess of Wales; and the said Letter was thereupon, by direction of the House, read by the Speaker, as follows:

"The Princess of Wales desires Mr. Speaker will acquaint the House of Commons, that she has received from viscount Castlereagh the copy of a Resolution, voted yesterday in a committee of the whole House, enabling his Majesty to grant, out of the consolidated fund of Great Britain, the annual sum of 50,000*l.* for her maintenance; and the Princess of Wales desires Mr. Speaker will express to the House of Commons, her sincere thanks for this extraordinary and unsolicited mark of its munificence.

"The Princess of Wales, at the same time, desires Mr. Speaker will inform the House of her deep regret, that the burthens of the people should be at all increased, on account of the circumstances in which she has been placed, and that she cannot consent to any addition to those burthens, beyond what her actual situation may appear to require: that she, therefore, hopes the House will re-consider its Resolution, for the purpose of limiting the income now proposed to be settled upon the Princess of Wales, to the annual sum of 35,000*l.*, which will be quite sufficient, and will be accepted with the liveliest gratitude, as an unequivocal proof, that the Princess of Wales has secured the good opinion and protection of the House of Commons."

Connaught House, July
5th, 1814.

Mr. *Whitbread* observed, that, in consequence of this liberal proposition of her Royal Highness, some alteration must of course take place in the Bill which it was intended to introduce.

Lord *Castlereagh* assented to this remark, and the report of the committee for granting the additional allowance to her Roya Highness, was ordered to be brought up on Friday.

Prince Regent's Message respecting Lord Combermere.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"The Prince Regent, acting in the name, and on the behalf of his Majesty, taking into his consideration the distinguished services performed by lieutenant-general Stapleton lord Combermere, in the course of the war in Portugal and Spain, and being desirous of bestowing on the said lord Combermere a signal mark of his favour, and for this purpose to give and grant unto the said lieutenant-general lord Combermere, and the two next succeeding heirs male of his body, to whom the title of baron Combermere shall descend, a net annuity of two thousand pounds, recommends it to his Majesty's faithful Commons, to consider of a proper method of enabling his Majesty to grant the same, and of extending, securing, and settling such annuity upon the said lieutenant-general lord Combermere, and the two next succeeding heirs male of his body, to whom the title of baron Combermere shall descend, in such manner as shall be thought most effectual for the benefit of the said lord Combermere and his family.

"George, *P. R.*"

Ordered to be referred to a committee of the whole House.

Prince Regent's Message respecting Lord Exmouth.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"The Prince Regent, acting in the name and on the behalf of his Majesty, taking into his consideration the distinguished services performed by vice admiral Edward lord Exmouth in the course of the late war, and being desirous of bestowing upon the said lord Exmouth a signal mark of his favour, and for this purpose to give and grant unto the said vice-admiral lord Exmouth, and the heirs male of his body, to whom the title of baron Exmouth, of Canonteign, in the county of Devon, shall descend, a net annuity of 2,000*l.*, recommends it to his Majesty's faithful Commons to consider of a proper method of enabling his Majesty to grant the same, and of extending, securing, and settling such annuity upon the said vice-admiral lord Exmouth, and the heirs of his body, to whom the title of baron Exmouth, of Canonteign, in the county of Devon, shall descend, in such manner as shall be thought most effectual for the benefit of the said lord Exmouth and his family.

"GEORGE, *P. R.*"

## HOUSE OF LORDS.

*Wednesday, July 6.*

**PETITION OF THE QUAKERS RESPECTING THE SLAVE TRADE.]** The duke of Gloucester presented a Petition from a number of the Society of Friends, commonly called Quakers, resident in the metropolis and its neighbourhood, against the continuation of the Slave Trade.

The *Lord Chancellor* called the attention of the House to some circumstances connected with this Petition. When the Petition was first presented, it was addressed "To the peers in parliament assembled." Now, their lordships knew that that was not the proper designation of that House, the learned and reverend bench being lords, but not peers. The Petition was, in consequence, taken back, and the address now stood, "To the lords in parliament assembled." The usual designation of that House was "the lords spiritual and temporal, in parliament assembled." If in the general term "lords," the petitioners intended to include the particular description, their lordships would probably consider the Petition as admissible.

Lord *Arden* protested against any innovation on those established forms, by an attention to which, the respect due to all the members of that House was best maintained. He was persuaded that no disrespect to the episcopal part of the House was intended by the illustrious presenter of the Petition, than whom, on the contrary, he knew there was no one more disposed to pay the reverend bench all the deference that was due to them; but conceiving that the petitioners ought to comply with the established usage, and to give to that House its proper designation, he felt it his duty to oppose the reception of the Petition.

The Duke of *Gloucester* returned his thanks to the noble baron, for having done him so much justice with respect to the sentiments which he entertained towards that part of the House, which the noble baron (erroneously, in his opinion) thought would not be treated with due deference, if the Petition were received in its present form. The general good character of the petitioners was too well known to render it necessary for him to impress it on their lordships. It had at various times obtained for them legislative indulgencies, to which no other members of the community were entitled; and he was persuaded that nothing could be further from their intention than to do any thing derogatory from the dignity of their lordships. They had substituted for the word "peers," which originally stood in the Petition, the word "lords," a term which the noble and learned lord on the woolsack had declared, seemed to him sufficiently comprehensive. He trusted, therefore, that their Petition would be received.

The *Lord Chancellor* again explained the circumstances attendant on the original presentation, and on the subsequent withdrawing of the Petition, for the purpose of making the alteration which had been introduced in the address. He repeated his opinion, that the general word "lords" comprehended the two species, "spiritual and temporal." The fact was, that many acts of paliament had passed in which that House was simply described as "the lords," and even in the commissions, by which the royal assent was given to any legislative measures, they were so designated. That the term "lords," therefore, was sufficient, was evident. It was questionable, however, whether the petitioners meant it to convey that sense in which alone it could be listened to by their lordships; namely, as meaning "the lords, spiritual and temporal."

Earl *Stanhope*, expressed his surprise that any hesitation had taken place with respect to the reception of the Petition. As to the last observation made by the noble and learned lord on the woolsack, he would say, that he did not know what the "spiritual" lords might be able to do, but he was sure that the "temporal" lords had not the power to dive into men's breasts, and ascertain their intentions. Their lordships were bound to take words in their ordinary acceptation, and it was evident that the word "lords" alone, sufficiently described their lordships' House.

Lord *Erskine* hoped their lordships would not extend formality too far towards persons to whom great indulgence had been shewn by the legislature, even in oaths and the administration of justice. They were a meek race of Christians, and they entertained religious scruples as to their use of titles. He should vote for the reception of this Petition, though there was no man more anxious than himself to support the dignity of the House of Lords.

Lord *Ellenborough* thought that precedent, and the indulgence ever shewn to this particular sect of Christians, should induce the House to receive this Petition.

Lord *Redesdale* was also of opinion, that, under all the circumstances, the Petition ought to be received.

The Earl of *Lauderdale* contended, that if any disrespect was to be attributed to the use of the word "lords," it might as well be argued that it was meant to exclude the temporal, and not the spiritual Lords.

Lord *Holland* referred to acts of parliament, and their lordships' standing orders, where the word "lords" included both lords spiritual and temporal. The noble and learned lord on the woolsack had spoken of the motive, but they were called upon to judge of the words only; and though he could not speak so certainly of the spiritual lords, yet he was confident no temporal lord possessed the art or power of diving into the breasts of mankind, and finding out their motives.

The Archbishop of *Canterbury* considered the question as that of a matter of form only; and if their lordships were of opinion that the address, though not the usual one, was one which might be received, he did think, where a petition proceeded from so large and respectable a body of people, their Petition ought to be received, and not rejected.

Lord *Arden* was not inclined to persist in his objection, but still he thought the House ought not to forget those forms in which they had been accustomed to be addressed.

The Petition was then ordered to lie on the table.

Punishment of Treason Bill.] The House having resolved itself into a committee on the Punishment of Treason Bill, several amendments were suggested by the Lord Chancellor and lord Ellenborough with respect to the terms in which the proposed change in the punishment should be described, so as to prevent any legal misapprehensions. It was understood that the debate on this and the Corruption of Blood Bill, which passed through a similar committee, should take place on the reception of the Reports on Monday.

Lords Exmouth and Combermere.] On the motion of the earl of Liverpool, the Prince Regent's Messages respecting lord Exmouth and lord Combermere, were ordered to be taken into consideration. The noble earl moved an Address to his Royal Highness, assuring him that that House would cordially concur in the measures necessary to carry his Royal Highness's most gracious recommendation into effect.

The Earl of *Galloway* lamented that an interesting occurrence elsewhere had prevented his attendance yesterday evening, when the thanks of parliament were voted to the army and navy for their services during the war; as it would have afforded him heartfelt satisfaction to have joined in the vote; but he took the present occasion to express his sasisfaction at the conduct of government, and especially at the desire manifested by the commander in chief and the first lord of the Admiralty, to reward the exertions of all the officers of the two services. With respect to the navy, he was aware of the silent but not less effectual improvements that were introducing under the auspices of his noble friend at the head of that department; and he only had to express his sincere hope that he would extend his intended rewards to that most valuable class of men the warrant and petty officers; and thereby diminish, as much as possible the effect of American seduction—the only evil that could be contemplated as a source of prejudice to the future prosperity of the navy. The Address was then carried *nem. diss.* The earl of Liverpool, in moving an Address in answer to his Royal Highness's Message respecting lord Combermere, entered into an explanation similar to that given by the Chancellor of the Exchequer in the House of Commons. The Address was carried *nem. diss.*

## HOUSE OF COMMONS.

*Wednesday, July 6.*

Alien Act.] Mr. Bathurst moved, that the Act 42 Geo 3, c. 92, for establishing regulations respecting Aliens arriving in this kingdom, or resident therein, in certain cases, might be read. The same being read accordingly, the right hon. gentleman moved, That leave be given to bring in a Bill to repeal the said Act, and for substituting other provisions in lieu thereof.

Mr. *Whitbread* was rather astonished to hear that an act affording such room for oppression and injustice, was about to be renewed in a time of peace. He certainly expected, after the charges which had been brought forward against the proceedings under the Alien Act, that an enquiry into those proceedings would have taken place before any proposal was submitted for a renewal of it. He had to complain of so long a time having been suffered to elapse, without giving any notice of the renewal. The quarter sessions would next week draw a number of members to the country; he hoped therefore the hon. member would not move the second reading of his Bill in their absence.

The Bill was then brought in, read a first time, and ordered to be read a second time on Friday se'nnight.

PETITION FROM MANCHESTER RESPECTING THE COTTON TRADE.] Mr. Blackburne presented a Petition from the merchants, manufacturers, spinners, and others interested in the Cotton Trade of the town and neighbourhood of Manchester, setting forth,

"That, since the happy re-establishment of peace in Europe, the nations on the continent, rivals in the cotton manufacture to Great Britain, can obtain their supply of the raw material of cotton wool with equal facility as the British, and duty free; and that the cotton grown in all the West India islands henceforth to remain under the sovereignty of Great Britain, and nearly the whole that has hitherto been imported from the East Indies, is very small in quantity, and very inferior in quality, to the growth of the states and colonies of foreign nations; and that, by an Act of 49 Geo. 3, c. 98, a duty was imposed upon cotton wool equal to *2d* per pound weight, if imported in British-built ships, and *3d.* per pound weight if imported in foreign-built ships; and that no duty is paid if such wool is bonded, and exported from this country in its raw state; and that the operation of this law has already been severely felt, being equal to 30 per cent. upon the whole average labour of cotton spinning, and as much upon a large part of the manufactures of piece goods, and has given an undue preference to the rival manufactures of linen, and to the importation of East India piece goods, to be re-exported for the supply of foreign markets, in a degree highly prejudicial to the interest of the petitioners; and that, during the last five or six years of the war, the spinning and finished manufacture of cotton has been increased and improved in an extraordinary manner abroad, in consequence of the adoption of the continental system by the principal nations of Europe, to exclude British commerce: and that the machinery and skill at present used in the cotton manufacture abroad are but little inferior to the British, and labour there is universally at a far lower rate than in the United Kingdom; and that, under such circumstances, and knowing that many of the principal cotton manufactures of the United Kingdom are opposed by those of the continent in the principal markets of Europe, any duty on the raw material imposed on the British manufacture, from which the foreign is exempt, acts as a bounty, and gives an undue advantage to the continental rivals of the petitioners, particularly on the common kinds of goods, of which the bulk of the exportation formerly consisted; and that the continuance of such, or any duty, must be highly injurious to the petitioners, and lessen the employ of the very great proportion of the population of these realms dependent on the cotton trade, and in the end be detrimental to the revenue, by decreasing the consumption of exciseable articles; and praying the House to take their case into immediate consideration, and afford them relief whilst it can come seasonably, and before the foreign manufactures obtain too firm possession of the European markets."

On the motion that the Petition be laid on the table,

Mr. *Baring* said, this was one of the most important subjects that could come under the attention of parliament. The question was, whether those duties which were laid on during the war, and one part of them before the war, were to be continued on the return of peace? If these duties were to be continued during peace, the right hon. gentleman opposite would probably inform the House of his idea of the means which our manufacturers would then have of meeting their rivals in the markets of the continent. Being aware of the importance of this subject, he had taken pains to enquire into the state of the manufactures of the continent; and from what he had been able to learn, it was his opinion, if this duty were continued, that the cotton manufacturers of this country were in very considerable danger of being soon driven out of the continental market. During the war, the commerce of the world had in a great degree centered in this country. This was a sort of security to the manufacturer, and enabled the country to draw a considerable revenue from raw cotton. He wished to learn from the right hon. gentleman, whether he thought there was any thing peculiar in the present state of things, by which those persons in Manchester, who were paying a duty of one-fifth of the value of the manufacturing material, could, in ordinary times in this country, where living was twice as dear as on the continent, and taxes were so high, be enabled to keep up a competition with the manufacturers of other nations with any degree of success? There was no doubt that, from capital and other circumstances, we had long been able to undersell foreign manufacturers, notwithstanding their advantages in other respects; but there was little doubt that in time the persons of this country possessed of manufacturing capitals would emigrate to other countries, where they could be settled more advantageously.

The *Chancellor of the Exchequer* said, the 5th of July next year was the period to which the present duties were limited, and he saw no reason why a duty which produced so great a revenue should be repealed before that time. The House were aware of the present blockade of America, which prevented the nations of the continent from obtaining an adequate supply from the United States; and in obtaining a supply from the Brazils, we had at present very superior advantages. He saw nothing, therefore, in a state of peace at which our manufacturers had any cause to be alarmed. With respect to the prophecy of emigration of manufacturers, it had been repeated year after year, for the last hundred and twenty years.

Mr. *Finlay* expected to have heard some reasons from the Chancellor of the Exchequer, why the raw material of the cotton manufacturer should be subjected to taxation any more than the raw material of other manufacturers. The imposition of such a tax was contrary to every received opinion on the subject of manufacturing prosperity. This manufacture had grown up to an extent unparalleled in the history of the world, without our being in the enjoyment of any advantage with respect to the raw material; and in spite of the tax we had been enabled to maintain our superiority, principally owing to the agitated state of the rest of Europe; but with the continuance of this tax during peace, we should not be long able to support the competition.

Mr. *J. P. Grant*, for the same reason that he lately wished to prevent the corn trade of this country from being subjected to negative disadvantage, now contended against the impolicy of subjecting the a manufacturer of cotton to positive disadvantage. It was no doubt true, that there were many circumstances which enabled a rich country to sustain a competition with a poorer country possessed of the advantage of cheapness of labour and provisions; but this was the first time, he believed, that it was tried to add to the disadvantages of the richer country, a heavy tax on the raw material.

Mr. *Philips* said, the right hon. gentleman well knew, that contrary to expectation, peace had not brought any advantages to our manufacturers, and that the manufacturers of this country were at present in a considerable degree of alarm. He had stated the peculiar advantages this country enjoyed in the importation of cotton. This was the first time that he had heard the war with America stated as an advantage to the manufactures of this country. Several gentlemen who had examined into the state of the manufactures of France and other countries on the continent, were surprised at the progress which they had made. In France the lower sorts of yarn were successfully manufactured: and when once the coarser sorts of yarn were established, the step to the finer sorts was easy.

After a few words from Mr. Forbes, Mr. Fawcett, sir Charles Burrell, and Mr. Alderman Atkins, the Petition was ordered to lie on the table.

THANKS VOTED TO THE NAVY, ARMY, AND ROYAL MARINES.] Lord *Castereagh*, in pursuance of his notice, rose to move the Thanks of the House to the various branches of the public service of the country. When the circumstances under which hostilities had been conducted, with a very short interval during twenty years, and the great exertions this nation had been called upon to make, and had made, were considered, he felt assured that there never was a period when parliament would express its gratitude with more heartfelt satisfaction. Through dangers, external and internal, we had been carried with unexampled success. In noticing the various departments of the public service, it would be obvious to all, that if our navy, during the last few years, had not accomplished such mighty achievements as before adorned its history, this deficiency was to be attributed, not to any relaxation of its efforts, or diminution of its zeal, but to the pre-eminent success by which it had formerly been attended. In truth, recently, little or nothing had been left for our navy to perform. Although no such splendid victories as those of the Nile or Trafalgar had occurred, the House would feel that its thanks were equally claimed for services that excited less notice, but were scarcely of less importance. The blockade of the enemy's ports was a source of difficulty and danger, and by the vigilance of our shipping, the trade of Great Britain had been carried on with little less interruption than occurred in times of profound tranquillity. Our army had, of late years, run a bright career, which in rapidity or glory had never been exceeded. It had now assumed a new and exalted station among the warlike powers of Europe, and it was a proud reflection for the House to recollect, that all its achievements were mainly to be attributed to the support given in parliament to the gallant efforts of our military forces. By the Treaty concluded at Chaumont, singular as it might seem, the contingent Great Britain was to furnish to the continental war, was equal to that of Russia, Austria, or Prussia, 150,000 men, besides which, she was to provide a subsidy of five millions. Calculating that each million would provide 70,000 men, the number of troops that she, on this scale, might be estimated to have in the field, was above 425,000. Splendid as had been the achievements of our army, the noblest triumph and the proudest victory was to have shewn, in the face of the world, that these mighty exertions had not been made upon any selfish or monopolizing system, but for the purpose of protecting and re-establishing the general liberties of Europe. During the last campaign in Spain, Portugal, Italy, and the Low Countries, the actual British force in the field exceeded 90,000 men. Such a lofty situation as these efforts had gained us, must draw down the admiration and veneration of surrounding nations upon ourselves, upon our armies, and upon that illustrious individual who had taught our soldiers the art of war on so grand a scale, and had led them to the fruits of their perseverance and discipline, victory and glory. The next division of the service that claimed the gratitude of parliament was the regular militia, which had made the most extensive sacrifices: from the militia chiefly those troops were drawn that had liberated the continent, and during the last seven years it had supplied no less than 100,000 men: so that all our triumphs might, in some degree, be traced to this source. To the local militia the country were also much indebted; it had merited and obtained the favour and confidence of the people, and was now to be deemed an essential part of our military system. Under their protection, the inhabitants of the country felt themselves perfectly secure, and by their activity and regularity, government had been enabled to render more extensively useful other portions of the service.—The volunteers, who had so readily stepped forward in defence of their country, had lately been, by the altered circumstances of the country, greatly reduced in numbers, but those that had retired as the danger had withdrawn, were still ready to step forward on any occasion when they were required: no man could look back a few years and not do justice by declaring, how much we were indebted to the volunteers of the empire for the happy situation in which it now stood. They had ever been prepared with the utmost alacrity to take upon themselves the duties of the interior, to relieve those who might be required for other duties. His lordship congratulated the House, in conclusion, upon the perfect state in which all our military and naval establishments were now found. Instead of lascitude, the consequence of protracted exertions, nothing but activity and energy, encreasing with our difficulties, was visible to the last moment of the struggle: neither the country, nor its resources, had been for a moment exhausted, nor had even a breathing time been required at the hottest period of the contest. Undismayed and unwearied, we had pursued one design, and that design we had gloriously accomplished. He had, therefore, to congratulate the House, not only on the termination of the war, but on the stability and firmness given to every department of the service, by which the character of the country had been exalted, and its glory secured. He moved, therefore, "That the Thanks of this House be given to the officers of the Navy, Army, and Royal Marines, including the troops employed in the service of the East India Company, for the meritorious and eminent services which they have rendered to their King and country during the course of the war."

While the question was reading from

the chair, lord Castlereagh interrupted the Speaker, by observing, that he had omitted to notice the service of the royal marines; but their exertions spoke better for themselves than any language he could employ.—The motion was then put.

Mr. *Baring* rose for the purpose of supplying what he conceived to be an omission—he meant a vote of Thanks to his royal highness the Commander in Chief. This proposal would come from him with the better grace as a disinterested tribute of just applause, because on every occasion when the conduct of the duke of York had come before the House, particularly on his re-appointment, he had given it his disapprobation, and by his vote had recorded his opinion. He submitted, however, that at the close of an eventful war, during which the services of his royal highness had been so eminently useful, it was not unfit that a motion like that which he had suggested should be adopted. He was not capable of entering into the subject, but no one who had witnessed the progress of our army, would refuse to acknowledge that it was mainly indebted for its discipline and consequent success to the duke of York. Since the investigation which had taken place in the House, the impartiality with which rewards and promotions were distributed, was exemplary.

Sir *Henry Montgomery* fully acquiesced in the propriety of noticing his royal highness the commander in chief, in a particular manner; and suggested also the propriety of making specific mention of the troops of the East India Company.

Lord *Castlereagh* felt that the army of India was equally entitled to the gratitude of the country, but he submitted that Thanks generally to the army would include the troops employed by the East India Company. He said that no man was more ready than himself to allow the merits of the commander in chief to their fullest extent; and if the House desired it, he should feel no objection to mention the name of that illustrious individual, in the vote of Thanks to the army.

Mr. *Calcraft* thought the eminent services of the commander in chief ought not to be overlooked.

Sir *C. Burrell* bore testimony to the merits of the duke of York, and to the consequent improvement of the army.

Mr. *Wynn* expressed his opinion, that the Thanks to the army generally, if conveyed to the troops in India, would be sufficient.

The *Attorney General* noticed the exertions of the duke of York in favour of the widows and orphans of deceased officers and soldiers.

Mr. *Forbes* paid a due compliment to the merits of the Indian army, and observed, that the officers in the Company's service held king's commissions, and would thus be necessarily included in the vote.

The motion was carried, *nem. con.* as was the following: "That this House doth highly approve and acknowledge the services of the petty and non-commissioned officers and men employed in the navy, army, and royal marines, during the course of the war; and that the same be communicated to them by the commanders of the several ships and corps, who are respectively desired to thank those under their command for their exemplary and gallant behaviour." And it was ordered, "That Mr. Speaker do signify the said Resolutions, by letter, to the commissioners for executing the office of lord high admiral, and to his royal highness the Duke of York, captain general and commander in chief of his Majesty's forces."

It was next moved, "That in addressing his royal highness the duke of York, Mr. Speaker do particularly express the high sense which this House entertains of his royal highness's unremitting, and effectual exertions for the improvement of the British army."

Mr. *Western* expressed doubts as to the propriety of adopting the Thanks to the commander in chief which had been moved. He was disposed to go the full length of the eulogium which had been passed on his royal highness, but it was a different thing to express that gratitude by a vote; for that vote would seem to convey a censure on the other heads of departments, who were entitled to the gratitude of the House. He had reluctantly offered these suggestions, as he thought the proposition was the result of a hasty thought, and not of deliberate judgment, as many members had left the House, not knowing that such a proposition was to have been made.

Mr. *Wynn* concurred in the motion, although he should not have given any support to it, if he had conceived that it would have formed a precedent which the House should necessarily follow on another occasion. The length of time was one of the grounds of the proposition;

for, excepting two years of retirement, his royal highness had commanded during the whole of the late war. It had been suggested at the end of the last war, when the exertions of the Admiralty had been so signal, to thank that board, but it was found that there had been three heads to that department—lord Chatham, lord Spencer, and lord St. Vincent. There was no feeling more universal than that of gratitude to the duke of York, and he concurred in it with the greatest pleasure, although he had concurred in the opinions of his hon. friend (Mr. Baring) on the subject of the former discussion respecting the conduct of his royal highness. It might be proper, however, to insert some word to prevent the resolution from conveying any imputation on the Admiralty.

Lord *Castlereagh* suggested the insertion of the word "long" in the vote before the word "unremitting." This was acceded to, and the vote standing, was carried unanimously; the following resolutions were then agreed to, *nem. con.* "That the Thanks of this House be given to the officers of the several corps of militia which have been embodied in Great Britain and Ireland during the course of the war, for the seasonable and meritorious services which they have rendered to their King and country.—That this House doth highly approve and acknowledge the services of the non-commissioned officers and men of the several corps of militia, which have been embodied in Great Britain and Ireland during the course of the war; and that the same be communicated to them by the colonels or commanding officers of the several corps, who are desired to thank them for their meritorious conduct.—That the Thanks of this House be given to the officers of the several corps of local militia and of yeomanry and volunteer cavalry and infantry which have been formed in Great Britain or Ireland during the course of the war, for the seasonable and eminent services which they have rendered to their King and country. That this House doth highly approve and acknowledge the services of the non-commissioned officers and men of the several corps of local militia, and of yeomanry and volunteer cavalry and infantry, which have been formed in Great Britain and Ireland during the course of the war; and that the same be communicated to them by the colonels and other commanding officers of the several corps, who are desired to thank them for their meritorious conduct."

PALIAMENTARY GRANT TO PORTUGAL.] Lord Castlereagh presented a report of the commissioners for distributing the sum of money voted by the House to the Portuguese sufferers, whose country had been laid waste either by the enemy, or in order to render Portugal untenable by that enemy in 1810. This vote was 100,000*l.* and had been augmented by private liberality. The degree of relief which had been afforded to that country was astonishing. The cattle had been replaced by importation; implements of husbandary, and seed corn had been distributed over the country; instead of leaving a large tract to desolation, cultivation was to a great degree restored.

Mr. *Lushington* expressed a wish that the Report should be printed.

Mr. *Warre* confirmed the statement of the noble lord, and bore testimony to the disinterested conduct of the persons who had been appointed to distribute the grant, who had declined repayment of their expences.

Mr. *Wynn* remarked, that the grant in question, and its application, must have had an admirable effect in strengthening the tie which binds us to our most ancient and faithful ally. Such an union existed between our troops and those of Portugal, that when the British troops separated from them they broke their ranks, to display their attachment to these their companions in the glorious works which they had achieved.

The papers were laid on the table.

ANNUITIES TO LORDS COMBERMERE AND EXMOUTH.] The House went into a committee on the Message respecting lord Combermere.

The *Chancellor of the Exchequer* said, that the object was to propose a grant to this gallant officer, similar to those which had been given to the other general officers commanding in Spain. This nobleman had been absent when the other Messages were brought down, and it had been thought that his paternal estate would have rendered parliamentary interference unnecessary. The noble lord had, in a manly and candid way, shewn to the earl of Liverpool, that his family estate had been incumbered by the expences of his ancestors, but that when those incumbrances were removed, it would be sufficient to maintain the rank to which he had been elevated in due splendour. The omission had arisen entirely from inadvertence. He should propose a grant to lord Combermere, similar to that which had been made to the other gallant generals, with this difference, that it would only be granted for three lives.

It was then resolved, that an annuity of 2,000*l.* net, be granted to lord Combermere, and the two next persons on whom the title of lord Combermere should devolve.

The motion was agreed to, as was a similar grant to lord Exmouth.

The Chancellor of the Exchequer, in moving the grant to lord Exmouth, recapitulated the great services of this gallant officer through the whole of the two last wars, especially in the command of the Mediterranean fleet. Mr. D. Giddy and Mr. Forbes also bore testimony to the merits of lord Exmouth.

WAYS AND MEANS.] The House having resolved itself into a committee of Ways and Means,

The *Chancellor of the Exchequer*, in proposing the annual vote of the war taxes, said, he had the satisfaction to inform the House, that there had been in the present year a considerable increase. The following was the comparative statement of the product of the different taxes, for the years ending in July 1813 and 1814:—The customs, in the first year, amounted to 9,189,000*l*; in the last, 9,640,000*l.* The excise, in the first year, 23,000,000*l.* In the second, 24,130,000*l.* The stamp duties had increased from 5,169,000*l.* to 5,475,000*l.* The property tax, from 13,065,000*l.* to 14,300,000*l.* The land tax, notwithstanding the progress of the redemption, was, in the first year, 1,162,000*l.* in the second year, 1,106,000*l.* The Post Office had increased from 1,378,000*l* to 1,409,000*l.* The assessed taxes, from 6,022,000*l.* to 6,470,000*l.* The total amount of British revenue had increased from 58,907,000*l.* to 62,968,000*l.* being an increase of more than four millions. Of these, war taxes had arisen from 21,522,000*l.* to 23,797,000*l.* The right hon. gentleman concluded by moving, that 20,500,000*l.* war taxes be continued to his Majesty, for the service of the current year.

Mr. *Baring* said that the increase in the property tax must have arisen from encreased vigilance in the collection, though the excise had encreased from our encreased wealth. Though the present state of the revenue was most satisfactory, yet a general revision of the duties would be necessary, in part, for the encouragement, and in part for the prevention of smuggling. He wished to know whether the Chancellor of the Exchequer had any intention to bring forward a general view of the state of the finances in the present session; which he thought would be advisable, though nothing conclusive could now be done.

The *Chancellor of the Exchequer* said, that on opening the budget, he stated his intention of laying before the House such an exposition of the financial circumstances of the country as the hon. gentleman alluded to, and he probably might take an opportunity of so doing upon bringing forward the appropriation bill; when he hoped our finances would be found in such a state as, connected with the splendid results of the late glorious war, would afford universal satisfaction.

Mr. *Lockhart* expressed a hope, that some measures would be taken to relieve the landed interest, as it must be obvious that the tenantry would be unable to bear the burthen, especially of the property tax. This tax had, it was known, been hypothetically imposed with reference to the average price of corn, but that price was now so likely to fall, that it would be well if the tenantry should be able even to pay their rents, with the ordinary taxes upon consumption, without the aggravated burthen of the property tax.

The *Chancellor of the Exchequer* observed, that the Treasury had committed to able hands the consideration of fit and proper arrangements with regard to the subject noticed by the hon. member, and he had no doubt that satisfactory measures would be adopted.

The motion was agreed to.

NEW POST-OFFICE.] Mr. *Baring*, in rising to move, pursuant to notice, for certain documents relative to the erection of a new Post-office, complained of the great extravagance by which the plan was characterised. He observed, that to make room for the projected edifice, an immense mass of valuable buildings, extending from Foster-lane, Cheapside, to St. Martin's-le Grand, must be taken down; even church-yards must be removed, and the peaceful ashes of the dead disturbed. And this, too, for the purpose of forming a Post-office in a situation highly inconvenient to the merchants of the city of London—from whom he should, in a day or two, present a petition, deprecating the proposed removal. The estimate of the expence for making this alteration was 280,000*l.* But that sum, he believed, would not do more than compensate those whom it would be necessary to remove from their houses, in order to form the necessary scite. The House, he was sure, would pause before they gave implicit credit to the city estimates, which were not remarkable for their accuracy. The improvements on Snow-hill, had been estimated at 100,000*l.*, but they consumed near 300,000*l.* There were a variety of situations to which the Post-office could be removed, at an infinitely lower expence, and greatly to the satisfaction of the merchants. There was, for instance, behind the Bank, a parcel of miserable buildings, that could be purchased extremely cheap, and the situation of which was sufficiently convenient. The scite of the South Sea House, where an establishment was kept up merely to pay a few dividends, might be made use of. Or a Post-office might be erected where the Excise-office now was; and the latter could be removed to the scite of the Custom-house, which had been recently burned. But certainly no place could be so absurd or extravagant, as that which had been selected for the purpose. The manner in which the business had been introduced to the House appeared to him to be most objectionable. Government, it seemed, were to be at the expence of erecting this building, and the guarantee for that purpose was contained in a private Bill. He did not think it was respectful to the House to introduce a measure of such magnitude, in the shape of a private Bill, to be discussed in a committee above stairs. He considered it, in fact, to be a government measure; for the corporation of the city of London had comparatively little to do with it. He hoped the right hon. the Chancellor of the Exchequer would, in consideration of the importance of the measure, refrain from pressing it in the present session. That the House might form a proper judgment on the subject, he should move, "That there be laid before the House, the plans, if any are prepared, of the new intended Post-office, with an estimate of the probable expence of its erection; the ground plan of the scite intended for the same; with a specification of the houses necessary to be taken down; and an account of the compensation to be granted to such persons as may be removed from their premises."

The *Chancellor of the Exchequer* apprehended that there were no plans prepared but those laid before the committee upon the Bill; but he should not object to the hon. gentleman's motion. He asserted, that the Bill alluded to by the hon. gentleman, was not a government measure, but originated in the corporation of London. That the proposed erection was necessary, must, he thought, be obvious to any one acquainted with the present Post-office; and as to the situation mentioned in the Bill, he could not conceive how the allegation of inconvenience to the merchants could be sustained. For the merchants of London would, under the new arrangement, receive their letters an hour earlier, and be enabled to deliver them an hour later, while in other parts of the town, letters would be received half an hour earlier, and the delivery in the evening would be half an hour later. A measure, therefore, calculated to produce such general accommodation he could not consent to abandon.

Mr. *H. Sumner* expressed himself decidedly hostile to the plan proposed. In his view of the subject, it would not take less than 500,000*l.* to carry it into effect. On the other hand, if an attempt had been made to purchase buildings in the immediate vicinity of the Post-office, 25 or 300,000*l.*, he had no doubt, would have gone as far as 300,000*l.* in the situation which had been selected. He conjured the House not to throw away so large a sum of money as 280,000*l.* without more deliberation. The taxes, last year, amounted to 60,000,000*l.*, the interest of the national debt was 40,000,000*l.* Such was our situation, that many gentlemen, conversant with the subject, were of opinion, that no reduction in the public burdens could take place for some time. If the people thought those burdens were necessary, they would bear them cheerfully; but, if they saw 280,000*l.* thrown away so inconsiderately, they would be justified in complaining. The question ought, he conceived, to be postponed for the present; and, in the ensuing session of parliament, a committee could be appointed to enquire what alterations it was necessary to make in the Post-office. It had been said, that the corporation of the city of London were so anxious for the erection of this new Post-office, that they agreed to defray one-third of the expence. Now, the fact was, they would not advance one farthing for the purpose; but they would appropriate to that end a part of the orphans' fund, arising from a tax on coal and culm, which parliament had given them to pay their debts. He wished to know, whether, in appropriating a part of the orphans' fund to the erection of the Post-office, the corporation of the city of London did not, in fact, make use of the public money.

The *Speaker* said, the fund alluded to was so anomalous, that it could scarcely be compared with any other. It could only be assimilated to those local taxes which existed in Ireland and Scotland, and which, however extensive, were never considered public funds.

The motion was agreed to.

IRISH WAYS AND MEANS.] The consideration of the Resolutions of the Committee of Ways and Means was resumed. On the Resolution, imposing a stamp duty on powers of attorney, for receiving rents, &c. in Ireland, being read,

Mr. *Fitzgerald* observed, that those gentlemen who had attended the discussion which had taken place on a former evening, when he submitted to the committee certain propositions for the financial service of Ireland, would bear in mind that he had recommended this new duty, not merely as a financial measure. It was a subject upon which he had felt earnestly, and he had pressed the adoption of this Resolution, in the hope, that if, even by interested motives, he could not induce the residence of the Irish landlord in the midst of his tenantry—if he could not bring into contact the proprietor and the tenant of the soil, at least he gave a direct interest and inducement to that intercourse, which, in a greater or less degree, must have been the result. To dwell on what would be the advantages in respect of internal improvement and domestic peace, would be unnecessary now, when he was about to relinquish his plan. He had not even felt himself called upon to dwell on them, even when he recommended it. He had not concealed his expectation and his wish, that in point of revenue, this tax must have been unproductive; the amount of its estimate would prove that he hoped so. The right hon. gentleman said, that he had not been guilty of the injustice of desiring to tax the Irish absentee; he felt that such a tax was at all times in its principle objectionable, and since the Union, at least, was still more so; yet he had not deemed it inconsistent with the soundest principles of economy, to hold out an inducement to the Irish proprietor, to make himself more intimately acquainted with the wants and interests of those who were dependent upon him; such a result he had anticipated from the measure which he on a former night proposed. Since that night, however, the communication which he had received from some of those, for whose opinions he felt great respect, had made him hesitate as to pressing forward this Resolution at this period; he doubted not of its principle, and if he continued to perform the duties of that office, he had now the honour to hold, he should probably feel himself called upon to propose to the legislature a measure founded on the same principles; he felt sensibly the kindness with which the House had received, on a former occasion, that statement of the general situation of Ireland, which he had taken the liberty of bringing before it, and having had the good fortune of carrying with him the concurrence of all the representatives of his country, he would not make so ungrateful a return for their support, as to urge this measure through parliament at so late a period of the session, with the knowledge of that opinion which many of them held upon it. The produce of this tax, for the first year, he had estimated very low, and as the provision already made had been ample, it was not necessary to supply it by the imposition of any additional public burden. The right hon. gentleman presumed to hope, that the grounds upon which he had recommended, as well as those upon which it was now relinquished, had not been misunderstood or forgotten. He was not precluded from recurring to it on a future occasion, if the exigencies of the state called on us for increased pecuniary exertion, the people of Ireland and their representatives in parliament, might then have a more extended opportunity of examining those measures by which they were to be affected, and he, too, might hope for their concurrent support of those propositions, which not less his anxiety for their dearest interests, than his sense of duty, had induced him to recommend for the adoption of parliament.

BANK RESTRICTION BILL.] The *Chancellor of the Exchequer* moved the going into the committee on the Bank Restriction Bill.

Sir *H. Parnell* was surprised at the bringing forward this subject without any formal notice. He thought it very objectionable to make fresh suspensions of the cash payments of the Bank from time to time. It impeded the return to the common currency of the kingdom, and prevented the country banks from making any preparations for this object, till they knew that a time was fixed for the Bank to resume its usual payments.

After an explanation from the Chancellor of the Exchequer, and a conversation on the subject between Mr. R. Smith, Mr. Grenfell, Mr. Baring, sir H. Parnell and the Chancellor of the Exchequer, the blank was filled up with the 25th of March next, as the day for taking off the restrictions.

## HOUSE OF LORDS.

*Thursday, July 7.*

PUBLIC THANKSGIVING.] The Lord Chancellor took the woolsack at half past eight o'clock; and soon after nine, Mr. Townshend, Windsor herald, proceeded to call over the House, commencing with Charles William lord Stewart, the youngest baron. As their lordships were called over, those who were present retired, and immediately proceeded in their carriages to St. Paul's.

## HOUSE OF COMMONS.

*Thursday, July 20.*

PUBLIC THANKSGIVING.] The Speaker took the chair precisely at half-past eight o'clock; and at nine, the clerk proceeded to call over the House, by counties, in alphabetical order. A great number of members were present, attired, either in court dresses, or in military or naval uniforms. As soon as the members were called over, the House proceeded to St. Paul's church, to attend the solemnity of the Public Thanksgiving.

## HOUSE OF LORDS.

*Friday, July 8.*

SMALL POX PREVENTION BILL.] Lord Boringdon moved, that the Report of the Small Pox Prevention Bill be received.

Earl *Stanhope* said, that there was a standing order, with which, on this occasion, he must request the noble lord to comply. This was, that every noble lord who moved the reception of a report of a Bill that had been amended in a committee, should explain to the House the nature of the alterations that had been made, and show their co-herence to the general principle of the measure. He did not wish to take the noble lord by surprise. The noble lord was probably not prepared immediately to comply with the terms of this standing order; if so, it was in the noble lord's power to delay any further proceeding on the Bill; and if it were put off, for three months, he should be the better pleased.

Lord *Boringdon* declared, that during his experience in that House, he had never seen the order alluded to by the noble earl acted upon. No man valued more than himself the brilliant wit and irresistible humour so frequently displayed by the noble earl, to the no small amusement and satisfaction of their lordships. But, however, the House might be delighted with the noble earl's facetiousness, he was sure they would never allow themselves to be diverted by it from those feelings of compassion in which the Bill before them originated. However, the noble earl might think he had embarrassed him by this sudden proposition, he could assure the noble earl, that if their lordships thought proper to enforce the order, the joke of the noble earl would not induce him to relax one particle of his exertions, in what he felt to be the cause of true humanity.

Earl *Stanhope* said, that there could be no question as to the necessity on the part of the noble lord to comply with the injunctions of the standing order.

Lord *Boringdon* accordingly read the Bill, paragraph by paragraph, and explained, as he went along, the motives by which the committee had been induced to make the alterations that appeared in it.

The Report was then received, and lord Boringdon, moved that the Bill should be read a third time on Tuesday next.

Earl *Stanhope* disclaimed any intention of being funny in the request which he had made to the noble earl to comply with the standing order. As the present attendance of their lordships was much fuller than that in the committee, he thought it but right that the noble lord should explain to the House, the nature of the alterations which had been made in the Bill. His objection to the Bill was the simplest possible, namely, that it would not carry into effect the principle of the noble lord; and that, instead of being a measure of humanity, it would, if passed into a law, prove to be one of the most troublesome, inconvenient, and mischievous, ever enacted. He would oppose it in every stage. Nothing could be more absurd, and, indeed, impossible to be executed, than the clause respecting the notices to be given of infection; and as for that clause which declared that a fit and suitable place should be provided for those infected, it would warrant any one afflicted with the small-pox to knock at the door of Holland-house, or Blenheim, and demand admittince. He moved that the Bill be rejected.

Lord *Boringdon* observed, that the provisions of the Bill had undergone a thorough discussion in the committee, and every correction had been made in it which seemed desirable. The noble earl, who had on former occasions attempted to persuade the House that there were none so ignorant of the law as the judges, and none so ignorant of religion as the bishops, now, it seemed, wished to maintain that there were none so ignorant of medicine as the physicians of the metropolis. He had applied to the most eminent of those gentlemen in order to ascertain their opinion of the Bill; and they had unanimously declared that it would be a most beneficial measure.

Lord *Mulgrave* said, he was inclined to vote for the rejection of the Bill. It appeared to him, with respect to the motives, to impose great hardships on individuals. And as to the compulsion which in effect, though not in declaration, it imposed on the poorer classes to inoculate with the cow-pox, if their lordships recollected how many persons of the higher order were reluctant to introduce vaccination into their families, it really must appear to them a harsh and an arbitrary measure to lay the poor under the necessity of adopting that practice.

The Earl of *Lauderdale* was of opinion, that the notices, required by the Bill could not be given; and the Bill would give a great deal too much power to overseers of parishes.

Lord *Redesdale*, although he thought that the Bill had been amended in the committee, still he objected to several parts of it, and particularly to the clause which prescribed, that notice of infection should be given on the succeeding morning—a thing that in many cases would be utterly impracticable. His impression was, that this was not a fit subject for legislation. If vaccination deserved to be established, it would establish itself by its own merits; and all attempts to force it on the people would only tend to create opposition to the practice. For himself, he was inclined to believe that the legitimate cow-pox, effectually received into the system, was a complete security against various infection. He knew it was the opinion of all the people in the country in which he lived, that those who took the cow-pox from the cow itself were thus secured. But he confessed that he had frequently asked medical men whether the nature of the matter, originally vaccine, might not, and must not, be materially changed by passing through the bodies of four or five thousand human beings; and to that question he had never yet obtained a satisfactory answer.

Lord *Boringdon* observed, that if the House thought there would be any difficulty in giving the notices of infection in the way required in the Bill, the time might be changed for the morning but one after the discovery of the infection. His object in bringing in the Bill had been to endeavour still further to extirpate a violent and dangerous disorder, by the substitution of a mild and safe one. At the same time, as the general sentiment of their lordships seemed to be against the measure, he should have no hesitation in abandoning it. All new Bills must necessarily be imperfect; and at some future period, he might introduce one less liable to objection.

Earl *Stanhope* applauded the conduct of the noble lord, and withdrew his motion for rejecting the Bill.

Lord *Boringdon* then withdrew his motion for reading the Bill a third time on Tuesday, and moved in lieu, that it be read a third time on that day six weeks, which was agreed to.

OFFICES IN REVERSION BILL.] Earl *Grosvenor* rose, in pursuance of his notice, to move the second reading of the Bill to suspend the granting of offices in reversion. He had hoped that the noble and learned lord on the woolsack would have come forward to urge the proceeding on this Bill; but having been disappointed in this expectation he felt himself under the necessity, in the discharge of his public duty, to make the proposition himself. Their lordships came to the consideration of this Bill with this novel feature in the subject,—that the noble and learned lord, though he had assented to the former Bills of a similar nature, had expressed himself inimical to the present one. To what that change was to be attributed he knew not. Was it because in the former instances the popular opinion was expressed so strongly that the noble and learned lord did not choose to oppose it? Certainly the noble and learned lord could not found his objection on the impropriety of the present time. Peace was allowed by all to be the best time for reform of any description. The noble and learned lord, and those who with him had opposed every measure of reform that had been proposed in parliament for the last twenty years, had grounded their opposition on the character of the period. They had always exclaimed against any alterations in times of danger. "What!" they had said, "would you set about repairing your house in a hurricane?" Such had been the arguments formerly urged by the noble and learned lord against reform of any kind; but those arguments were now without even the pretence of foundation. But even some of those who had most strenuously opposed reform in general—even that honourable and lamented individual, a member of another house of parliament, who had fallen by the hand of a base and cowardly assassin, even that colleague of the noble and learned lord, had declared, that although he did not conceive the advantages to be derived from the measure would be at all material, he was on the whole not inclined to object to its passing. Would not the noble and learned lord go as far as that? The noble earl said, that in his opinion, the custom of granting offices in reversion ought to be entirely abolished; nothing could be more prejudicial to the state. If there was one thing more than another, that tended to the advantage and strength of a country, it was that the offices of trust in it should be ably filled. This principle, the custom of granting offices in reversion, went utterly to subvert. For even if the person to whom a reversion was granted were competent to the office at the time of the grant, the probability was, that by the time he came to be actually appointed he would be rendered by age, by infirmities, or by some other cause, wholly unfit for the situation. In a pecuniary point of view also, the practice of granting offices in reversion was extremely objectionable. If the emolument of any particular office were declared by competent authority to be too large, or if the office itself were declared to be unnecessary, instead of those emoluments being diminished, or the office being abolished at the death of the holder, up started a person to whom the reversion had been granted, and asserted his claim. He trusted that their lordships would pass the Bill, which he repeated was similar to that to which they had last year agreed. Its only operation would be to suspend the granting of offices in reversion, until February next; thus leaving sufficient time for the consideration of an ulterior and permanent measure. If their lordships should reject it, the other House (it being too late in the session to originate another Bill) would, in all probability, think fit, as they had formerly done, to address the crown on the subject. At a moment when joy reigned throughout the country, every one ought to exert himself to contribute to the prosperity of others; and that House ought eminently to distinguish itself in the generous competition. The present was not a measure of violent reform. It was temperate, moderate, and discreet; and ought to be acceded to. The noble lord concluded by moving the second reading of the Bill.

The *Lord Chancellor* wished that the noble earl had addressed himself more to the Bill itself, and less to his opinions and conduct with respect to it. In objecting to the Bill, he simply maintained the respect which was due to that House. The noble earl had characterized him as an enemy to reform. If he meant to those measures of reform, which year after year had been proposed in parliament, he willingly acknowledged it; for nothing could be more repugnant to common sense than were most of those measures. The noble earl had also chosen to ascribe his former acquiescence in similar bills, to his sensibility towards popular opinion. He would tell the noble earl, that if the popular opinion appeared to him to be just, he was always happy to be in favour with it; if unjust, he wished to go on as he had done during his life, without being influenced by it; and he was convinced that parliament would have heard much less of the measures of reform to which the noble earl alluded, had other people acted on the same principle. Without enquiring into the truth of the opinion, ascribed by the noble earl to that excellent man, whose untimely fate he should never cease to deplore while memory remained to him, he would say that that opinion was not his. The noble earl talked of the wisdom of the other house of parliament. It was a wonderfully wise way of legislating, truly, after their lordships had six times (five times on the second reading, and once on the third) rejected a permanent bill on this subject, to send them up annually a bill of suspension, with the evident view eventually to force the whole measure! If they were to go on year after year agreeing to such bills, the statute-book would be filled with temporary and mischievous expedients merely. Was it consistent with their lordships' dignity that that which they had so repeatedly refused to do, should be attempted by these yearly and gradual attacks? With respect to the argument derived by the noble earl from the course that would probably be adopted by the other house of parliament in the event of the rejection of the present measure, he would not condescend to answer it. If their lordships were to be induced to modify their proceedings by any such suppositions or circumstances, they had better shut the doors of the House at once.

The motion was then negatived; and on the motion of the Lord Chancellor, the Bill was ordered to be read a second time on that day three months.

## HOUSE OF COMMONS.

### *Friday, July* 8.

LORD EXMOUTH.] On the resolution of the Committee being reported for granting an annuity of 2,000*l.* per annum to lord Exmouth,

Mr. *Croker* said, he could not help taking this occasion of paying a tribute to the distinguished services of the noble lord. That noble lord had never had an opportunity of receiving the Thanks of the House for any great engagement, because the navy had before so effectually fulfilled their duty as to sweep the seas of their enemies; but in conjunction with the army in Spain, his service had been of the most meritorious nature, and had mainly contributed to the expulsion of the French from the Peninsula. Throughout the whole extent of the Mediterranean, not a ship of the enemy had been able to escape the vigilance of his cruisers; and the French in Spain had not received a single convoy of provisions to enable them to maintain themselves longer in that country. He had blockaded in Toulon a large and fine a fleet as ever France had with an inferior force, and had even detached squadrons from that force occasionally to injure the enemy in other quarters; and when a part of the Toulon fleet contrived to get out to sea, it was astonishing to all to see the manner in which he ran his large three-decker close to the rocks in pursuit of it. In the ports of Genoa, Naples, Venice, and the Seven Islands, wherever his attention was requisite, whether for attack or defence, he was every where present. It was impossible to speak in too high language of the economy and management of his fleet. In that fleet, in which every thing was sent from England, his seaman-like management, his humanity and attention to the wants and comforts of the crews, were most conspicuous. Though he had under his command the largest fleet which had ever been so long absent from England, there had never before been an example of so small an expence of stores and of the health of the seamen. Five three-deckers had lately returned to this country, after many years absence, in the most perfect state, and with the proportion of persons in ill health less than in any other fleet in the ordinary course of service. While he paid a tribute to the noble lord, it was but justice to say, that he had indeed been most ably seconded. Of the two admirals next in command, namely, vice-admirals sir Sidney Smith and Freemantle, it was impossible to speak in too high terms. The conduct of the latter, at the taking of Trieste, was fresh in the recollection of the House.

Mr. *Fremantle*, hearing a near relation of his mentioned, took the opportunity of paying a short tribute to his merit.

The Resolution was then agreed to.

PRINCESS OF WALES'S ANNUITY.] Mr. Brogden brought up the Report of the Committee of the whole House on the grant of 50,000*l.* per annum to her royal highness the Princess of Wales.

Lord *Castlereagh* rose to call the attention of the House to the Letter to the chair from her royal highness the Princess of Wales, in which she was pleased to intimate to the House, that it would be more satisfactory to her if the vote of the committee of 50,000*l.* was reduced to 35,000*l.* per annum. It was certainly his duty to conform to whatever was most acceptable to her Royal Highness. He merely wished at present to state what were the considerations which had influenced his conduct on this occasion. He should not have thought of submitting the proposition which he made to the House, if he had not previously apprised her Royal Highness of the measure which he had in contemplation. On the evening of the day on which he had laid the papers connected with this subject before the House, he made a communication to her Royal Highness of these papers, and of the course of proceeding which he meant to follow. He was honoured with a reply from her Royal Highness, stating her willingness to accept the grant offered her, because it was not clogged with any conditions derogatory to her rights or her honour, and was not an act of grace or favour on the part of the crown, but one of mere right and justice. Thus he had had every reason to consider this provision as having been accepted by her Royal Highness, being as she was pleased to state it, not an act of grace or favour, but of justice. On the evening when the vote took place, he informed her that in a day or two he hoped to be able to lay the Bill before her, and that no regulations should be inserted in it of a nature differing in any degree from the regulations in the resolution of the Committee, and that as she was possessed of those regulations, she could judge whether they were not in every respect conformable to her wishes. He afterwards transmitted to her Royal Highness a copy of the Bill, framed in conformity with the actual vote which had taken place. He had been honoured with a reply, in which her Royal Highness still intimated that she accepted of the provision, and again stated that she considered it not in the light of an act of grace or favour, but an act of justice. Now, what he wanted at present was to be assured of what her Royal Highness's wishes really were; because, if this renunciation of part of the sum voted to her was the spontaneous wish of her Royal Highness, he would feel himself precluded on a principle of public duty from voting any part of the public money to a subject who was not inclined to receive it. He must conceive, that the letter to the chair was more conclusive on that subject than the one to himself; because, while the letter he had received was couched in general terms, the other was specific. In following his present intention, therefore, he conceived himself to be acting in the spirit of her Royal Highness's wishes on the subject. If parliament, however, thought proper on this occasion to relax, and to agree to the diminution of what it had voted as an act of justice, he hoped that no persons would be allowed, on that account, at any future period, to revive in that House discussions connected with the royal family—discussions which were painful to every person in the country who felt a proper respect for the royal dignity, and could not be sufficiently deplored by every person in the House. If they now receded from what they were pleased to vote to her Royal Highness as an act of justice, he hoped they would not again hear the question of an act of justice revived. He trusted it would now be considered that every disposition had been shewn to make every arrangement in this case consistent with her Royal Highnesses comfort; and that parliament would be relieved from all future application on her behalf. If there were any individual who could give the House fuller information of her Royal Highness's sentiments, he could wish him to lay such information before them. He understood the letter to the chair came by the hands of an hon. gentleman opposite. Both letters, that to himself, and the one to the chair, were of the same date, the 5th instant; but the former being more general, he should feel no hesitation, if he received the assurance of the hon. gentleman opposite, that in so doing he was fulfilling the wishes of her Royal Highness, in moving, that the vote of 50,000*l.* a year to the Princess of Wales be reduced to 35,000*l.*

Mr. *Whitbread* said, he had to complain of the noble lord for putting an interpretation on the conduct of himself and his friends, as if they had been the agitators of the questions in that House regarding the Princess of Wales. This was a construction, the justice of which he for one would always strenuously deny. The noble lord had correctly enough stated the communication which had taken place between her Royal Highness and himself. When the noble lord, on presenting the papers, relating to her Royal Highness, to the House, was first asked, if he had made any communication of those papers and of his intentions, the noble lord answered that measures had been taken for making that communication. The noble lord did communicate the papers, and in the letter to her Royal Highness, he informed her that he had made a communication of them to the House, and that it was his intention on a future day to move an augmentation of her allowance. To this letter her Royal Highness returned an answer without any advice from himself, or any person with whom he was in the habit of acting. He would repeat part of the contents of his lordship's first letter. After stating that he had made that evening to the House a communication of the document relating to the separation in 1809, he acquainted her that those papers had been referred to a committee of the whole House, in which it was his intention to move that her allowance should be augmented to 50,000*l.* per annum. He thought he was correct, then, in his assertion, that the noble lord had not made any communication to her Royal Highness, till after the statement in that House. The noble lord had communicated correctly the substance of her Royal Highness's first letter; the consent and acceptance in that letter were expressed in very general terms. When the noble lord sent the bill, a written answer was then also returned to him, intimating also a general acquiescence in the measure. This letter was also written by her Royal Highness without any adviser. After that he had no hesitation in saying, that when he was consulted on the subject by her Royal Highness, he stated to her that the sum was disapproved of by him, as being larger than circumstances required—larger than what he could consent to vote for,—and larger than what he thought the noble lord ought to have proposed. Her Royal Highness did then say that she approved of the proposition of the noble lord, but the amount of the sum had never entered into her consideration; she then wrote the letter to the chair in her own hand. He thought that the sum of 35,000*l.* a year was amply sufficient for her situation at this time, till the period should arrive, fixed by act of parliament, at which she would have to receive 50,000*l.* a year. Her Royal Highness therefore gratefully and thankfully accepted of the 35,000*l.* a year as fully sufficient for all her purposes. However painful any discussions on the subject of her Royal Highness, or any member of the royal family might be, all he could say, was, that whether the allowance should be 50,000*l.* or 35,000*l.* a year, things were precisely in the same situation in every respect. There was not entertained by the friends of the Princess of Wales, the slightest idea that she was less in need of the protection of the House, by receiving 50,000*l.* a year, than by receiving only 35,000*l.* Her Royal Highnes had accepted the provision, on the condition that it was not derogatory to he honour; and whether the sum should b 50,000*l.* or 35,000*l.* she had not th slightest idea that the difference of the sum made in that respect the slightest differenc in her situation. He should have vote against the 50,000*l.* because he though that sum improper, and he would now vot for the 35,000*l.* because he considered i what the circumstances of her Royal Highness required.

Lord *Castlereagh* said, that he shoul not have proposed the grant of 50,000 had he been informed that it was the wis of the Princess of Wales that the sum should not be so considerable, but from th note of her Royal Highness he naturall implied directly the reverse. It was impossible that she could think, at the tim he communicated the intended proposal that the vote had already been passed fo a sum, the whole of which, be imagined was in justice due to her. The hon. member had fairly avowed that he had bee the adviser of her Royal Highness, but h (lord Castlereagh) should be sorry to fin hereafter that the council given had induced the Princess of Wales to adopt different line of conduct from that whic her real feelings dictated. The design o the House was to give a liberal income but if the Princess of Wales had now finally receded, on consultation, from wha his lordship had first understood to be her spontaneous and uncontrolled desire, h should most cheerfully accommodate th resolution to her wishes by altering th vote to 35,000*l.* The same amendmen must also be made in the Bill. The determination of parliament would, undoubtedly, make a beneficial change i the circumstances of her Royal Highness; instead of being dependent upon the voluntary provision allowed by the Prince Regent, her income would by right be derived from the consolidated fund, and tha sum must, *pro tanto,* form a part of the income she would receive in case of the death of the illustrious individual now placed at the head of public affairs.

Mr. *Tierney* observed, that an intimation had been given that a clause was to be introduced into the Bill to prevent her Royal Highness from incurring debts for which the public might be liable. All circumstances considered, he hardly thought it delicate or prudent in the noble lord to make allusions to royal debts. Such provision as that suggested, might render some enquiry upon this point necessary; and if a discussion were to be forced, regarding the debts of the Princess of Wales, he would not shrink from his duty in calling the attention of the House to the debts of other branches of the royal family. His principal object in rising was to prevent the House from running away with the idea, first introduced by the noble lord, that all the recent discussions arose from a desire on the part of the Princess of Wales to obtain money. The truth was, that these debates arose from circumstances which he did not wish to revive, and the object of the pecuniary allowance was only to recognise the Princess of Wales, who had been abandoned by all, as under the protection of the House of Commons. In her letter her Royal Highness expressly called it "an extraordinary and unsolicited mark of munificence," and it was not candid in the noble lord to endeavour to create the impression that the uniform design of the Princess of Wales was to extort money; such an intention had been denied by her Royal Highness and by all her friends. He did not see much reason to complain of the conduct of the noble lord in other respects, excepting that he had gone a little too far in leading the House to believe that he had consulted the Princess of Wales. Mr. Tierney said, that one of his principal objections was, that the Princess of Wales had not been treated as a person fit to be consulted. The noble lord had brought down a parcel of papers, and had given notice of a motion, but the wish of her Royal Highness was never asked, whether the sum should be larger or smaller than what was proposed. This might be thought the more extraordinary as the noble lord had never before shewn any reluctance to pay sufficient respect and reverence to the members of the royal family. It was, no doubt, a new principle of action which the noble lord did not understand, to see an individual consulting the public interest instead of her own, in refusing 15,000*l.* a year, and he hoped this case would not be drawn into a precedent hereafter, to lead the noble lord to make smaller offers than the actual merits of persons interested required.

Lord *Castlereagh* was of opinion that it would have been highly indecorous to have negociated with her Royal Highness upon the extent of the sum she required; he had, however, gone so far as to mention the amount, and if the Princess of Wales had felt any personal repugnance she would have informed him of it in her note, instead of stating that she considered it as an act of justice. He was not to presume that what her Royal Highness termed an act of justice to herself was, at the same time, an act of injustice towards the public. Since that period, however, it seemed that she had been better advised, and that she had determined to do injustice to herself rather than do injustice to the public. As to his having given a wrong colour to the recent discussions, by asserting that money was the object, all that he had argued was, that such must be the result since parliament could only interpose by pecuniary relief. Such, in common sense, ought originally to have been the motion, and then the House would never have been troubled with subjects distressing to itself, but doubly painful to the various branches of the royal family.

Mr. *Tierney* observed, that he had distinctly stated, on a former debate, that he had had no private communication with the Princess of Wales; he had, however, advised, that her Royal Highness should not accept 50,000*l.*: it was very likely to appear to the noble lord an extraordinary proceeding, and, no doubt, he would not have advised it. When, however, the noble lord talked of the indelicacy of making a bargain with the Princess of Wales, he seemed entirely to forget one of the documents he had laid upon the table, in which the income of her Royal Highness was reduced to 17,000*l.* The augmentation made by the liberality and justice of parliament was, no doubt, very acceptable to the Princess of Wales, but it was no less creditable to her Royal Highness to have had so much consideration for the situation of the public.

Lord *Castlereagh* remarked, that at the time the document, just referred to, was signed, it was absolutely necessary that there should be some understanding: the parties also were the Prince and Princess of Wales. It did, however, not become the minister of the crown, in submitting a proposal to the liberality of parliament, to make the amount of the vote a subject of negociation with the Princess of Wales.

Mr. *Whitbread* begged to be allowed to say a few words upon what had fallen from the noble lord. The Princess of Wales had not been treated even fairly by him: he had said a great deal on the supposed change in her determination regarding the 50,000*l.* upon advice with her friends. He appeared to have forgotten that the late Mr. Perceval had been one of her advisers; that he had written an elaborate defence of her Royal Highness, which had long been concealed, but at length was published; he had forgotten also that once her Royal Highness had had the benefit of the advice of lord Thurlow, and more recently of lord Eldon. Did the noble lord mean to say, that because some of her friends were dead, and others no longer continued to be her friends, that her Royal Highness was to be left entirely without council and assistance? It might, by him, be deemed hardihood; but Mr. Whitbread boldly avowed that he had advised the Princess of Wales respecting the letter she had written to the Speaker. Did the noble lord mean to assert, that in the discussions in which Mr. Perceval partook, his object was money? If it was, then indeed, the same charge might be brought against him, Mr. Whitbread. Had the advisers of the Regent, who recommended the letter to the Queen, stating that his Royal Highness would meet his wife neither in private or public, money in their contemplation? If it was fair to say, that they had, then would he allow that his object was, and had been entirely, pecuniary. What was the true cause of all these painful and distressing discussions, as the noble lord termed them? Injustice and indignity to the Princess of Wales. Not a word respecting an increase of income would have been uttered had it not been provoked and compelled by the conduct, or rather misconduct, of ministers. The insult was the ground of complaint, and he declared that the finances of the Princess of Wales had never entered into his contemplation. Every man, not only of feeling, but who was almost destitute of feeling, must have been struck by the forlorn situation of her Royal Highness; and the vote of parliament was not so important from the sum as from the recognition it contained, that she was taken under the protection of parliament. He contended, that the letter sent to the Speaker was the most respectful mode of informing the House of the determination she had made; and the real fact was, that her Royal Highness had mistaken the purport of the noble lord's communication; and had, at first, imagined that as early as the 29th ult. a vote of some amount or other had actually been agreed upon in the House. In her reply, she had never reflected upon any sums; she had accepted the principle which, on the part of parliament, was an act of grace, and on the part of the crown an act of justice. It was but fair to state, that the instant the reduction was suggested, it received the hearty concurrence of her Royal Highness, and she felt grateful for this assistance, waving no right, and clogged with no condition. There was, at least, something invidious and unhandsome in what the noble lord had thrown out on a former night, that in proportion to the smallness of the sum received was the necessity of introducing into the Bill a provision against the debts incurred by the Princess of Wales. Surely such a threat was unnecessary, when it was known that her Royal Highness, even limited as was her present income, did not owe a shilling: the insinuation, that it was possible, nay, probable, might have been spared, unless, indeed, the noble lord's experience in other quarters had shewn him, that however enormous the revenue allowed to an individual, the incurring of immense debts was still inevitable. Much had been said to exonerate the House in future from hearing of the case of the Princess of Wales. All he could say was, that he hoped no cause would be given for bringing it again under the notice of parliament. For his own part, he did not feel himself precluded from asserting, in his place, the cause of the Princess of Wales, or of any other individual, who had to complain of indignity or injustice, whenever he should think it expedient. He felt happy in the conviction that the House of Commons did not give, and the Princess of Wales did not accept, the sum now voted as a compromise, barter, sale, or purchase of any right of person, dignity of station, or purity of character.

Lord *Castlereagh* did not think that any thing he had said, called for the warm expressions employed by the hon. gentleman: he still maintained, that if the Princess of Wales had any objection to the 50,000*l.* mentioned in his note of the 5th instant, it was natural that it should be noticed in the reply. He did not wish to refer to any circumstances that could excite controversy or irritation; but whatever might be remarked of the advice given by his late friend, Mr. Perceval, it could not be denied, that he had given some strong proofs, that he did not think it fit that the family differences of the royal personages in question, should be agitated in parliament: he hoped that the hon. member would in future be of the same sentiment. With regard to the sum, if the hon. member had originally thought that an augmented income was necessary, it was a great pity that parliament had not arrived at that conclusion, before any of the painful deliberations had taken place.

Mr. *Whitbread* felt it impossible to refrain from adding a few words. He put it to the noble lord, whether, with his knowledge of all the transactions of the parties, he did not think it would have been impossible to have avoided discussions like those which had recently occured, if the Book had been published, which such great pains had been taken to conceal? If the noble lord meant to arraign him for not having proposed the reduction of the vote in the committee, he must know that he had concurred wholly in what fell from his right hon. friend (Mr. Tierney) upon the subject. As to the former debts of the Princess of Wales, lord Thurlow, who then advised her, had used the strongest expressions to induce her not to accept 12,000*l.* per annum: he had, in fact, told her, that if she did take it, she would be a begger, and the result proved the truth of his assertion. He concluded, by repeating his assertion, that pecuniary considerations had never operated upon him, and his conviction that it had never influenced the Princess of Wales.

Mr. *Ponsonby* wished to say a few words in justification of the vote he had given: it was not governed by a consideration of the pecuniary situation of the Princess of Wales, and consequently he had never conjectured whether the sum was likely to be too great or too small. He lamented now, as he had done before, that the subject had ever come before parliament, and he hoped that some steps would be taken to prevent a recurrence of the evil. The House was incompetent to enter into such questions, as whether the Princess of Wales should, or should not, be received at the drawing-room. The only constitutional mode of entertaining her case was by a grant of money. It was true, that he felt considerable resentment at an act of wanton oppression and unjust indignity offered to her Royal Highness, and he was desirous of shewing, for one, his disapprobation of that injustice and indignity. These considerations, and these only, had governed his vote.

The question was then put, and on the motion of lord Castlereagh, the amendment of 35,000*l.* instead of 50,000*l.* per annum was introduced. A Bill was ordered to be brought in, to carry the Resolution into effect.

IRISH PRESERVATION OF THE PEACE BILL.] Mr. *Peel* rose, he said, with considerable regret, to propose an additional measure for the preservation of the public tranquillity in Ireland. The House were already aware, that he had introduced a measure during the present session, on the same subject, which was then in progress, and which was to have a permanent operation. When he brought this Bill forward, he had reserved to himself the right, should circumstances require it, of bringing in another, of a more effective and decisive description. The apprehensions which had induced him to make this reservation, had since been confirmed; and, however painful the task, he found it absolutely necessary to adopt a system which, although perfectly consistent with the established principles of constitutional government, was at variance with those maxims of moderation and mildness, by which he was desirous the people of Ireland should be governed. There was something peculiar in the present disturbed situation of that country, and in the character of the combinations which existed among its inhabitants, that rendered it necessary to have recourse to some extraordinary measure, of greater vigour, and of more limited duration, than the Bill which was then before the House. Since he had last addressed the House on this subject, he had endeavoured to collect information from every quarter, as to the state of Ireland; and it was, with particular pain, that he had now to state, that the disturbances, which existed, were of a most alarming description. He regretted to state, that in those parts of Ireland where the laws had been administered with the greatest severity, and where the greatest number of convictions had taken place, the terror arising from those convictions had scarcely survived the cause, when new combinations of a more extensive and dangerous character had obtained birth; and these combinations were carried on with a degree of secresy which defied the operations of the law, as it at present existed. Under these circumstances, it became necessary to intrust the Irish government with a power to be exercised in case of emergency, of a nature more decisive than that of which they were already possessed. The proposition which he should make to meet this end, was the revival of the measure which had received the sanction of parliament in 1807. He was sorry that considerable odium had attended the former introduction of this measure, because many of its provisions were copied from the act of the Irish parliament of 1796, although, in point of extent, it did not go so far. The amount of its operation was to permit two magistrates to transport idle and disorderly persons. The preamble was copied from the Act of 1807, and merely referred to certain disturbances which existed in various parts of Ireland, excited by seditious persons; and he should propose it to be limited to the period of two years. The object of the Insurrection Act, or rather of the clause to which he should now propose to revert, was to provide, in case any part of the country should be disturbed, or in danger of being disturbed, that two justices of the peace should be empowered to summon an extraordinary sessions of the magistrates of the county, which should consist of seven magistrates, who should make a report to the government, or the lord lieutenant, that part of their district was in a state of disturbance, and that the ordinary law of the land was inadequate to the preservation of the public peace. In this case, it was provided that the lord lieutenant, by the advice of his privy council, should be empowered to issue a proclamation, commanding all persons residing within the said disturbed district, from sun-set to sun-rise, to keep within their houses, and that no person should be suffered to be drinking in a public-house after the hour of nine o'clock; and further, if they should be detected out of their houses, without being able to shew good cause, they should be considered as idle and disorderly, and be liable to transportation for the period of seven years. The law also required that the lord lieutenant should order a special sessions of the peace to be held, at which these persons should be tried, and, if necessary, that trial by jury should be dispensed with.—There were other provisions, which sanctioned the employment of the military to quell disturbances, and, in order to facilitate the detection of offenders, enable the magistrates to pay domiciliary visits; and upon refusal being given to open the doors of such houses as they visited, enabling them to enter them by force. In the present state of Ireland, he thought it would be no great restriction, where disturbances did exist, to require the inhabitants to remain within their houses from sun-set to sun-rise. It was impossible to deny that this description of measure was an evil; but the House had to decide upon comparative evils; and when the dreadful alternative to which they would be reduced, if some such measure was not adopted, was considered, he apprehended no doubt could exist as to the expediency of adopting it, until the occasion for its existence had ceased. That the measure would prevent the evils of which he complained, he was satisfied; and this opinion was founded upon a variety of documents which he held in his hand. These documents gave the most convincing testimony of the disturbed and alarming state in which Ireland now was. Among others was one from a respectable magistrate of the county of Roscommon, which described the state of that county to be most alarming, and lamented that the law of the land was inadequate to the preservation of the public peace, in consequence of the magistrates having no power over suspected persons. There was another letter from a magistrate of equal authority, Mr. Maycock, of the county of Westmeath; who, after adverting to the atrocities which were every where committing within that county, observed, that if the legislature would allow domiciliary visits, and require the inhabitants to be at home at a particular hour, tranquillity would soon be restored. It was by no means the intention of government to have recourse to this Act, even if it should be passed, on ordinary occasions; on the contrary, as with the Act which had been passed in 1807, and remained in full force till 1810, without being acted upon, it was intended only to be resorted to, when every other effort had failed to quell disturbance. He would wish the House to consider the dreadful evils which were meant to be corrected. In many parts of Ireland, the inhabitants were obliged to sit up whole nights to guard themselves from assassination; and a letter had been put into his hand that day, by an hon. baronet, the member for the Queen's county (sir H. Parnell), which stated that the Caravats were levying contributions of 30*s.* and 40*s.* each, from the little farmers every night, and seizing arms and ammunition, wherever they could be found. He had also letters in his possession, representing that the Carders were in constant activity throughout the county of Westmeath, and kept the unfortunate inhabitants (whose offence was perhaps no more than by their industry being able to give a higher rent to their landlords than others, their loyalty, or their refusal to join these lawless bands) in unceasing apprehension of assassination, or having their little cabins burnt over their heads. In addition to these facts, he had a letter from Mr. Wilkes, of Stoke'stown, stating, that a band of these miscreants had broken into the house of a poor man, and carded both himself, his wife, and his two daughters, in the most dreadful manner. The operation of carding, he had already stated, to be performed with a wool card, with which the flesh was literally torn from the bones of the unfortunate creatures who happened to be exposed to the torture. These atrocities, too, were not committed by one particular sect against another, for Protestants and Catholics were alike exposed to them; and, in a letter from Westmeath, it appeared, that a considerable number of Roman Catholics had been served in this manner. In addition, however, to the prevention of these monstrous outrages, there was another motive equally strong, which operated as a ground for agreeing to the motion with which he should conclude, and that was, the fatal blow which would be given to the morals of the people of Ireland, if such practices were allowed longer to exist, without the most severe punishment. Ireland had frequently been the scene of similar combinations and disorders. In 1763, there existed the White Boys—then came the Hearts of Oak—these were followed by the Hearts of Steel—and these again by the Defenders, the Caravats, the Carders, the Shanavats, and the Thrashers, all of whom had been guilty of great excesses, but none had exceeded in atrocity the combinations which now existed. He did not conceive that it was necessary, in calling upon the House to revive the Insurrection Act, to shew that any conspiracy existed dangerous to the safety of the government; it was sufficient that several districts were in a state of disturbance, and that the laws, which were in force, were inadequate to the preservation of the public peace. He apprehended he had already given evidence sufficient of these facts; but if it was necessary, he could refer to other proofs of a nature equally satisfactory. He had in his hand a memorial dated November 29, 1813, and signed by 36 magistrates of the county of Westmeath, stating that the most daring outrages were committed in open day, and that assassinations were perpetrated at the places of worship, and in the face of a large congregation, without the slightest resistance. The same memorial declared the laws, as they existed, to be insufficient to prevent these atrocities, and suggested the expediency of the Insurrection Act of the 47th of the King. This was followed by a series of resolutions, passed at the Lent assizes, in March last, by which the contents of the memorial was confirmed, and the revival of the Insurrection Act again urged. There was another letter, dated the 27th of June last, reciting other acts of outrage, and representing the inadequacy of the law. To these were added a variety of other letters, of late date, all stating, in the most unequivocal terms, the excesses which were every where committed; and pointing out the necessity of affording protection to the unfortunate inhabitants, against the lawless attacks of the banditti by which the country was infested. The right hon. gentleman, in conclusion, observed, that he was persuaded these combinations had not arisen from any political feeling; but lest the floating masses of disaffection, which were dispersed in different parts of the country, should be collected by some able hand, he considered it highly important that a strong measure should be immediately adopted, so as at once to stem those disorderly propensities, which, from not being properly resisted, would gain additional strength every day. The right hon. gentleman then moved, "That leave be given to bring in a Bill to provide for the preserving and restoring of peace in such parts of Ireland as may at any time be disturbed by seditious persons entering into unlawful combinations or conspiracies."

Mr. *Abercromby* said, he was far from accusing the Irish government of a desire to grasp at too much power, but he thought they had not asked for this increased proof of the confidence of parliament in a parliamentary manner. The nature and extent of the evil should have been made known to the House, that it might in its wisdom apply the proper remedy. The best and most correct manner of proceeding was to refer the proper documents to a select or secret committee, to which there could, in the present case, be no objection. The measure in 1807 had not gone through this form; but this was, he believed, because the Bill having been prepared by one administration and adopted by another, universal concurrence had been anticipated. He had then voted against that measure, though prepared by those in whom, on other subjects, he should have most confided. He hoped, if it was thought absolutely necessary, to pass the measure speedily, that at least it would be only of short duration, that on its renewal, an enquiry, though now omitted, might be instituted.

Lord *Castlereagh* said, that he was adverse to the idea of a message from the crown upon this occasion, because it would give too much consequence in the eyes of Europe to a conspiracy, which was not at all of such a political or formidable character as that which some years since had unfortunately degraded our history, although it gave birth to disturbances so dangerous as to personal security and personal property, in certain districts in Ireland, as to render necessary the measure proposed by his right hon. friend. As to the proposition of a committee of enquiry, he could not see the necessity of such a proceeding, as the disturbances alluded to were so notorious as to be admitted on all sides. Indeed, their notoriety could not be disputed, and it would be recollected, that in consequence of this notoriety several gentlemen had, when, another Bill for preserving the peace of Ireland was under discussion, called upon his right hon. friend to bring forward a stronger measure with a view to that object. With respect to the execution of this measure, he thought, that from the conduct and character of the Irish government, no doubt could be entertained of its forbearance and moderation upon that point.

Sir *H. Parnell* said, that in common, he believed, with every representative of the sister country, it would have been more agreeable to him, if the state of Ireland had been discussed in a committee, before the present measure was introduced. It would have been much better had the Bill come before them, founded on, and supported by, the deliberations of a committee, instead of being introduced so precipitately; because, from the mode of proceeding now adopted, it might go forth, that the House had acted, on the spur of the occasion, from a strong and general feeling of the disturbed state of Irelan The system of referring subjects of th nature, in the first instance, to a committee, had been almost uniformly acte upon hitherto. Thus, when the manufacturing districts of this country wer disturbed, the subject was canvassed in committee, before any Bill was introduce and the very same course was taken, wit reference to the first Bill brought int parliament, after the Union, for the purpose of securing the tranquillity of Ireland. The letters which the right hon gentleman had referred to, were, he wa convinced, perfectly worthy of credence but still, he conceived, they ought to hav been laid before a committee. He ha himself remained in Ireland till the latte end of April, and at that period, much insubordination certainly existed. With respect to the county which he had the honour of representing, when its local situation was considered, it was not difficult to assign a reason for any disturbances that might have occurred there. That county was in part bounded by Tipperary and in part by Kilkenny; and, he believed, that, in every case where an outrage was committed, it was perpetrated by the inhabitants of the neighbouring counties; more particularly by those of Kilkenny, who, for that purpose, entered the Queen's county. He was, however, ready to allow that the inhabitants of that county, in consequence of the introduction amongst them of an illegal oath, were no longer so peaceable as they had been. From the disturbed state of the country, and from the difficulty of procuring information, it appeared to him necessary that the magistrates, for the purpose of enforcing the laws, should be armed with additional authority; but he was not friendly to a system which did away with the necessity of a jury. Magistrates might, he thought, be allowed to punish to a certain extent, but not without the intervention of a jury. He was extremely happy to find that the right hon. gentleman did not attribute these disturbances to any political motives: those by whom they were fomented, he believed, were of the lowest class, both with respect to education and property. He did not suppose that the most wealthy amongst them were possessed of more than 30*l.* or 40*l.* per annum.

Sir *F. Flood* expressed his perfect approbation of the measure proposed, particularly as it was meant that the Bill should state that certain parts of Ireland nly were in a disturbed situation. He vas no less friendly to the principle of the 3ill recently introduced by the right hon. gentleman, although he had conceived it necessary to oppose particular clauses contained in it. He was of opinion that he notoriety of a fact was, in many instances, a fair ground for parliamentary proceeding; and with this feeling, he hought it would be most dangerous to put t off till next session, for the purpose of referring the business to a committee, what he considered to be a measure of caution and mercy to the people of Ireland. This measure, he contended, would give notice o the deluded inhabitants of the disturbed districts, of the inevitable consequences which would ensue from a perseverance in heir disorderly conduct. With respect o the county of Wexford, which he represented, he was bound to observe, that t was in a most tranquil state: but this observation undoubtedly, would not apply o Kilkenny or Tipperary; in these counties, it was absolutely necessary that extraordinary powers should be placed in he hands of the magistrates, for the purpose of enabling them to carry the laws nto effect, and to preserve the peace of he country, which must be dear to every friend to the prosperity of the British empire, The Bill about to be introduced was by no means a novel one. It was, in fact, little more than the revival of a measure which, at a former period, had effected much good in the county he had the honour of representing. The obnoxious itle of the bill to which he alluded, was, however, removed; and the new measure would appear, not as one intended to put down sedition and insurrection, but merely o quell local disturbances. Many of the acts of the present government of Ireland deserved the highest praise; and none more so than their firmness in putting down the Catholic board—that junto, who professed, falsely, to be the friends of the Catholic body, and who manifested that friendship by endeavouring to make the population of Ireland enemies to Great Britain. Of whom he should be glad o know did that board consist, which pretended to regulate the interests of he Catholics of Ireland? It was constituted of a few professional men, who were eternally employed in blowing up he coals of discontent; and, who exerted he utmost of their power, to set the country in a flame. There were few men of property amongst them. He knew particularly in his own county, a great many wealthy Roman Catholics, who absolutely shuddered at the mention of that abominable board. It appeared to him that the population of different districts in Ireland were not in their senses, and he highly approved of the intended measure, which he doubted not, would tend to restore them to a state of sanity. Indeed he could not imagine that any gentleman would think of opposing a bill which had for its object to make the lower orders of people in Ireland go to bed at sun-set, the proper time at which every honest, industrious man, whose business rendered it necessary for him to rise early in the morning, ought to retire to rest.

Mr. *Spencer* highly approved of the intended Bill, and observed, that if prompt and vigorous measures had been long since resorted to, Ireland would not have been disgraced by the disturbances which now predominated there.

General *Harvey* said, that being in the command of a part of his Majesty's forces in Ireland, he had, on many occasions, witnessed the necessity of a measure, similar to that now about to be proposed.

Mr. *Fitzgerald*, in answer to what had fallen from sir H. Parnell, observed, that the almost utter impossibility of procuring information in Ireland, on which an offender could be convicted, rendered it necessary to adopt those measures, of which the hon. baronet complained, as interfering with the trial by jury. One of the great evils against which the Bill was meant to provide, arose from the difficulty of getting persons to come forward and give evidence. It was most unfortunate, that the trial by jury, in those parts of Ireland which were disturbed, could not be acted on, beneficially for the peace of the country, because information could not be obtained against those who violated the laws. It had been urged, as an argument against the introduction of this measure, that it was nothing more than the renewal of the Insurrection Bill, which had produced very little effect. This, however, was a mistake. The Insurrection Bill had produced a very powerful and extensive effect in Ireland; the very name of it had operated beneficially. Whether those who fomented the disturbances possessed great or little property, was not a matter for the consideration of the House. They had only to decide, whether, under existing circumstances, they would arm government with extraordinary powers; and, when they recollected the mildness and forbearance which marked the course of proceedings adopted by the Irish government, he had no doubt that they would invest them with that authority which was now called for.

Lord *Jocelyn* gave his most unqualified assent to the measure of the right hon. gentleman; which he was of opinion, would tend to introduce, amongst all classes of society in Ireland, that cordial unanimity, so necessary to the welfare of the country. After what the right hon. gentleman had stated, he thought not an hour should be lost in restoring the tranquillity of Ireland.

Mr. *D. Browne* said, he was not present when the Bill, lately introduced by the right hon. gentleman, for preserving the peace of Ireland, was read a second time. He had, however, heard the constitutional speech of the right hon. gentleman when he proposed that Bill; and he would be most happy in giving his utmost support to any measure founded on the same wise and liberal principles.

Sir. N. *Colthurst*, while he lamented the cause which rendered the proposed measure necessary, approved of it in the highest degree. He was, at the same time, happy to state, that that part of Ireland which he represented (Cork) was perfectly tranquil.

Leave was then given to bring in the Bill.

## HOUSE OF LORDS.

*Monday, July, 11.*

SLAVE TRADE.] Lords Dundas, Erskine, Buckinghamshire, and Sidmouth, presented a variety of Petitions against the Slave Trade, which were laid on the table.

Earl *Stanhope* said, that he had an immense number of petitions to present against the Slave Trade; and expressed his wish that more of the ministers had been present, that they might see the interest with which the public took in the subject, and be thereby induced to pay every possible attention to the wishes of the two Houses of Parliament, and of the nation.

The *Lord Chancellor* said, that all the ministers would no doubt hear of the noble lord's petitions; and he assured him that they had already felt every disposition to consult the wishes of the two Houses of Parliament, and of the public, on this subject.

The Petitions were then presented to the number of about 30 or 40, and laid on the table.

Lord *Holland* concurred in his noble friend's observation; and rejoiced at the spirit manifested by the country on the subject of the Slave Trade, and was satisfied that the efforts of the abolitionists, if persevered in, would be attended with success. He had not, indeed, altered his opinion. He was convinced that the best opportunity of extinguishing this nefarious traffic had been lost, and lost through the indifference of the negociators. Such was the impression produced in his mind by the article in the Treaty, and it had been confirmed by rumours, and the manner in which all disclosure of the negociations had been resisted; but, yet, the public voice, if loudly raised, would compel the ministers to exert themselves, and if they had not an opportunity so obviously favourable for enforcing the wishes of the country, they had yet a fair prospect of success if they chose to improve it. Austria, Prussia, and more particularly Russia, were said to be not only willing, but earnest and eager to procure the recognition of the illegality and injustice of the Slave Trade, of putting a final stop to this traffic in human misery and blood. He and some others might think that they should have insisted on France acceding to the abolition. They had, however, lost the opportunity of dictating laws on such a subject, and some might question the right, others the prudence of doing so; but on one topic there could be no difference of opinion. Those who held the independence of nations the highest, had never said that the exclusion of any country's productions was a violation of its independence. Let the great powers of the North and of Germany exclude from their ports all colonial produce from states that had not abolished the Trade. If they were sincere they would do so; and if they did, the interests (if unfortunately any interests were held dearer than those of honour and of justice,) as well as the humanity and justice of France, and still more of Portugal and Spain, would lead them to agree to the abolition. Portugal and Spain drew more produce from their colonies than they could consume. If they could not export their produce, it would not be worth their while to desolate Africa and outrage human nature to increase their productions. We could urge this policy with the better grace, now Holland had acceded to the abolition, because we could no longer expose ourselves to the imputation or suspicion of having our commercial interests or monopoly in view, when so extensive and commercial a colonial power was to share it with us. Lord Holland praised the conduct of the government in Holland in very strong terms, and said he was highly gratified, and not surprised at finding at the foot of that instrument of mercy and justice, that monument of the true wisdom and magnanimity of the Dutch government, the name of Mr. Falck, for it was not the mere partiality of a friendship (of which, however, he was proud) which induced him to declare, that he knew no man in any country more capable of judging what was right, and none more inflexibly determined to pursue it than that gentleman. He was, indeed, well worthy of being distinguished for his patriotism, zeal, and talents, even in his country, fertile as it had been from the cradle of its liberties—and, indeed, at all times in great and splendid characters. He thought, that Holland would co-operate with us in urging all the powers inimical to the Trade, to exclude the colonial productions of those who continued to be guilty of it. The interests of France were not so much concerned in the continuance of the Trade as had been represented. She had many demands for her capital, and no difficulty in employing it, if she had any. She might want capital, but she hardly required more trades or speculations, than she had wherein to embark it. There never was a time—there never would be a time, when she could abolish the Trade with less hardship to individuals, with less inconvenience to her subjects or herself. He thought, after Spain and Portugal owed, as they did, their very existence to Great Britain, we might, without any violation of their rights, assume a higher tone with them, and insist upon their agreeing to respect the happiness of Africa, in return for our having secured theirs. Of Spain, indeed, if the heart-breaking reports he had heard were true, little good, in principle or conduct, was to be expected; for it was said, that the king of that country was employed in arresting and persecuting those to whom he owed his kingdom and his liberty—a conduct at which not only the friends of freedom, but the moral sense of mankind must revolt with horror and disgust. Lord Holland added, that even if the total abolition of the Trade could not be accomplished, some sacrifices of territory or money might recover Senegal; it was a possession of little value to France. The abolition had been more complete there than elsewhere, and had been productive of the best effects. A person, in authority, had written from thence to say, that the face of the country was gradually improving; but that, if the colony was ceded to a slave-trading power, not less than 20,000 victims would be hurried, in the first year, from their homes, and conveyed in the holds of slave ships to misery and degradation. Yet, formerly, not above a tenth of that number was exported from the same coast annually—a proof of the improvement which three or four years suspension of the Trade had produced, and a proof, too, of the havoc and destruction its renewal would occasion.

Lord Holland then presented his Petitions, which were ordered to be laid on the table.

Congress at Vienna.] Lord *Holland* seeing a noble lord now in his place wished to put a question to him on the subject of the approaching Congress. The noble lord would not suspect him of a wish to obtain information on those points which could not, with any regard to propriety, be at present made public. He found in the Treaty of Peace the following words:—" Within two months all the powers, who have been engaged on either side, in the present war, shall send plenipotentiaries to Vienna, to regulate, in a general Congress, the arrangements necessary to complete the stipulations of the present Treaty." Now, he wished to know from ministers what powers were considered as coming under this description? If independent states were meant, then all powers, who were independent at the breaking out of the war between England and France, were invited to this general Congress. He took into his view a number of principalities and states formerly existing in Europe, but in a particular manner the republic of Genoa, because it had surrendered to his Majesty's arms, and because we were, therefore, more peculiarly called on to attend to that than any of the others. He understood, that after surrendering, the people of the town received, from lord William Bentinck, an assurance, that they would be re-instated in their ancient rights and privileges; and that a proclamation was issued, re-establishing, as far as possible the ancient order of things. A provisional government, as like the old government as possible, was appointed, and the reason assigned was, that it was the wish of the people to return to the form of government under which they had so long enjoyed prosperity and liberty. This country had never acknowledged the Ligurian Republic, or its annexation to France. If the ancient states existing in Europe, before the war between England and France, were in the eye of the government of this country, when they subscribed this Treaty, then Genoa, before the war, was an independent sovereignty. He wished then to know, whether Genoa and the other principalities and states of Europe, in a similar situation, were considered as entitled to send deputies to this Congress, and if they should send such deputies, whether they would be received? If the noble lord should answer this question in the negative, then he would follow up this question by a motion on the subject. He trusted and hoped that the territory of no country would be disposed of, in the Congress, without having deputies from that country, at the Congress. If they did otherwise, they would sanction the principle of the partition, against which this country had always remonstrated.

The Earl of *Liverpool* said, the question of the noble lord involved some considerations of great delicacy, respecting which he hardly knew what answer could at present be made. He would inform the noble lord, however, that the description of states, understood to be comprehended in the Treaty, as having a right to send deputies to the Congress, was all those countries, who were in a state of independence at the breaking out of the late war, and who were, *de facto*, engaged in the late war, either with the allies or with France. By the late war was understood the war since 1803; though Austria, Prussia, and Russia, had had several ruptures, negociations, and pacifications, in the course of that period. But he did not conceive that the clause was binding on any power but those which were, *de facto*, independent powers, and engaged in the last general warfare with France.

Lord *Holland* said, his question was directed to what the fate of the countries mentioned by him was to be; he was aware, that any treaty or arrangement could only be obligatory on the persons who signed it. He knew well enough, that Genoa, Hesse Cassel, or Sardinia, were not bound by the late Treaty; but his question was, whether they were entitled to send deputies to the Congress, and if they sent them, whether they would be received? If the noble lord could not give an answer to his question in this stage of the business, he hoped and trusted that the fate of such powers, as had no deputies in the Congress, would not there be decided on.

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## HOUSE OF COMMONS.

*Monday, July 11.*

Answer of the Duke of York to the Vote of Thanks.] The Speaker acquainted the House, that he had received, from Field Marshal his royal highness the duke of York, the following letter, in return to the Thanks of the House, on Wednesday last.

"Horse Guards, 8th July, 1814.

"Sir; I have received your letter, dated yesterday, transmitting the unanimous vote of Thanks of the House of Commons to his Majesty's army, for the services rendered their king and country; and, according to the desire of the House, I shall not fail to communicate, in the handsome terms, in which the vote is expressed, the sense the House entertain of the meritorious and eminent services of the officers, and the exemplary and gallant behaviour of the non-commissioned officers and privates, during the war.

"In expressing the pride I feel in the opportunity thus afforded me, of distributing the acknowledgements of the Commons of the United Kingdom, to the different corps of the army, I must not omit to convey to the House, through you, Sir, an assurance of the high gratification I have derived from the Thanks which you have, by their command, communicated to me personally, for the services I have endeavoured to render the country in the command of its military force.

"I am truly sensible, Sir, of the indulgent view the House take of such services when they attribute the state of perfection to which the army has arrived, to the organization which they are pleased to consider, that I have been instrumental in effecting:—Gratified, as I am by so high a testimonial of my individual exertions, in a cause which has ever been the anxious object of my life, it is incumbent upon me to assure the House, that my endeavours could scarcely fail of success, when followed up by the patriotic zeal which characterizes this great country:—If, under such circumstances, I may have contributed to the permanent regulation of our military system, I am amply recompensed by the acknowledgments of the House of Commons; and I feel happy, in the consideration of any facility which such endeavours, on my part, may have given to the duke of Wellington in the execution of the arduous services he has so gloriously achieved, and which have so deservedly ranked his grace among the first captain's of the age. I am, Sir, your's,

"FREDERICK, Commander in Chief."

MAD-HOUSES BILL.] On the question, that the Private Mad-house Bill be read a third time,

Lord *Robert Seymour* spoke as follows:—Sir, I have had much communication with the licensed Mad-houses of this town, and I owe it to the keepers of such of them as have come within my observation, to declare, that their patients are treated with the utmost tenderness and humanity. The houses, indeed, in which these unfortunate persons live, having been built for other purposes (chiefly for the use of small private families), are little calculated to promote the health or comfort of their inhabitants. I live, Sir, in a parish (I mean that of Mary-le-bone) which maintains its insane poor in a licensed house; and it is the practice of that parish, by the medical staff of their infirmary, frequently to visit them. The staff, consisting of a physician, surgeon, and apothecary, examine, every month, the insane paupers, both as to the state of their minds and of their bodily health. They see their bedrooms—they inspect their beds—and they report, in writing, to their employers, the guardians of the poor, the result of their examination. Now, Sir, I have not mentioned this circumstance, to do honour to a parish, with the management of which I am personally much connected, but I have stated it, in the hope of leading other London parishes into the practice I have described. It is, Sir, the miserable policy of many, indeed I might say of most of those parishes, to keep their poor, when mentally deranged, in their work-houses; in which, there being no other means of confinement, the unfortunate lunatic is generally consigned to; and, for a great length of time, confined in a straight waistcoat. Thus, Sir, being much aggravated, and more unskillfully treated than he would be in a mad-house, he becomes less likely to be restored to sanity of mind. The maintenance, Sir, of a pauper, in a London workhouse, costs his parish six shillings weekly—in a mad-house, the maintainance of a pauper, costs it ten shillings; and, it appears to me, that to the small difference between these two sums, the interest of one-half, at least, of the insane poor of London is perfectly sacrificed. I am sorry to say, Sir, that in all my communications with mad-houses (and they have been very frequent) I have observed, that the patients of them are very seldom visited by their relations or friends. Now surely, Sir, in the degree our feelings prompt us to turn our backs on these unhappy persons, in the same degree does our duty urge us to attend to and watch them. They are, Sir, perfectly dead to all the intercourse of social life; and worse than dead, with respect to the impression their fate leaves on the minds of their relatives and friends. When a man loses a friend, the first burst of grief being at an end, he fosters and encourages every idea that leads his mind to the recollection of his departed friend; whereas every thought, connected with insanity, is so degrading to our nature, and so humbling to our pride, that we make a point of keeping it from our minds. With these impressions, Sir, I cannot but be highly friendly to the Bill now before the House. I am sanguine enough to think that it will go a great way to secure the objects of it against improper, by which I mean unnecessary detention; and I cannot doubt but, by the visitation it imposes, it will much improve the conditions of all persons confined under insanity. Indeed, Sir, I believe that the very agitation of the Bill has had the latter effect to a considerable amount. I believe, too, Sir, that it has improved the practice of one public hospital, I mean that of Bethlem, by softening its severity towards its patients. I have, Sir, within these few weeks, seen the unfortunate maniac, Norris, who has been, I believe, more than once mentioned in this House. Finding him fastened to his bed's head by an iron collar and chain, strong enough to hold a bull or horse, I was extremely surprised to hear him express his thankfullness to his keepers, for the liberty he now enjoys. My surprise, Sir, however, soon ceased, on my learning from Norris, as well as from those about him, that he had been lately exonerated from two third parts of the iron which he had worn for 13 years past, night and day, in his bed. Now, Sir, this unfortunate maniac is rational enough to admit, as do I, that it may have been long necessary to enchain him, but he contends, as do I, that it cannot have been so completely to encase him in iron, as has been the practice for a long series of years. Now, Sir, with this fact before me, I cannot say that Bethlem is the hospital which I wish to exempt from the intended visitation. I know, Sir, that among the governors there is very much of benevolence; but, I fear, that amongst them, likewise, there has been some little apathy, to use a respectable alderman's late expression, when he spoke in Newgate, as to the sufferers within the walls of Bethlem.—I beg pardon for having trespassed so long on the House. What I have said has been offered from a sense of duty.

Mr. Alderman Smith, Mr. Bennet, sir J. Shaw, Mr. P. Carew, and Mr. Rose, expressed their opinions also in its favour; after which, the Bill was read a third time, and passed.

Lord Cochrane.] Lord *Ebrington* observed, that having seen in one of the news-papers, that a day had been appointed for putting lord Cochrane in the pillory, he wished to know, whether it was the intention of the crown to remit that part of the sentence of the court of King's-bench?

Lord *Castlereagh* replied, that it was usual for the court to fix a day for carrying its sentence into execution. As to what the crown might be advised to do, his lordship was really not prepared to give an answer. The question had, in the ordinary course, been brought under the notice of the crown, by a Petition from one of the parties, Mr. Butt, who had solicited for mercy. That petition had been put in the regular course, and a reference had been made to the judge, after which the decision of the crown would be made. As the subject was in a train of enquiry, he thought that it would not be expedient for parliament to interfere.

Lord *Ebrington* said, that as the noble lord could give him no information, he would submit a motion to the House upon the subject.

Lord *Castlereagh* added, that he should deprecate any motion, since the crown was the fountain of mercy, and the House had no jurisdiction. If the noble lord did persist, he would recommend, that the day fixed might be as late as possible, in order that in the meantime the decision of the proper authority might be made.

Lord *Ebrington* rejoined, that his motion would be for an address to the crown, praying, that that part of the sentence, that related to the pillory, might be mitigated, on the ground of lord Cochrane's professional services.

Lord *Castlereagh* remarked, that it would be a delicate question, whether the professional services of lord Cochrane placed him upon a different footing to that of the other prisoners. He hoped, that a distant day would be named for the motion.

Lord *Ebrington* named to-morrow se'nnight.

Mr. *Tierney* wished to know, whether the judge's report would be made by that day?

Mr. *Whitbread* asked, whether the cases of all the parties would be considered under Mr. Butt's petition, or whether only that of the individual, were all the cases referred to the judge?

Lord *Castlereagh* was not prepared to give any decisive answer, but he apprehended that all the cases would be included in the consideration of the judge who tried the cause.

The *Attorney General* said, that the reference to the judge was made, that the crown might receive the requisite information. It did not necessarily follow, that the judge would give any opinion upon the propriety of remitting the sentence; that was a matter for the decision of the crown.

Mr. *Whitbread* noticed a previous case, where the Secretary of State had informed him, that the judge was called upon to to give an opinion.

The *Attorney General* replied, that it was true, that the judge might include his own opinion, but it was not indispensably necessary that he should do so.

Army Estimates.] Lord Palmerston having moved the order of the day, for going into a committee of supply,

Mr. *Fremantle* said, he felt it his duty to deliver to the House his opinions on the present state of the expenditure of the army. It was to be recollected, that the estimates laid before the House were for the service of the year, from the 25th of December last to the same time in the present year. In these estimates the reductions from the sum voted for last year, were only two millions, and those eventual. Now, as far as economical arrangements in our internal system of defence could be followed, they might have been adopted as early as April last; by the reduction thus effected, a greater saving than one-eighth (which was all the reduction at present) of the whole expenditure would have been effected. If as much of zeal had been used by the government in the reduction of the expenditure of the country, at present, as they had formerly shewn of energy in proposing enlarged scales of expenditure, they would have been even more entitled than they actually were to the liberal praise of the country. When the details of the estimates presented were looked into, they would appear more objectionable; five millions were required for the foreign troops in the service of this country, and the militia. Now, on these branches alone, a saving could have been effected, if early and effectual measures had been adopted, as great as all that which was more held out. For the staff and garrisons, volunteers, local militia, commissariat, &c. there was a charge of seven millions, on which alone there might have been a reduction of much more than two millions. As to the general officers, he agreed in the principle, that they were entitled to a larger pay than they had formerly enjoyed. There was one thing, however, to be considered in this regulation, that those who were now captains or inferior officers, would go on in rank during the peace; yet, when they became general officers, it would not be said, that they were entitled to so large a pay as those who had been actually efficient officers of higher rank during the war.—The hon. gentleman then observed, that it was extraordinary, that no one of his Majesty's ministers had given any hint of the probable reduction on the peace establishment: it was true, details might be difficult, but some general grounds might be given. It appeared, however, that they were to return to their constituents, after the successful termination of the war, from most extraordinary exertions, without any opportunity of announcing to them any reduction of their burthens; but, on the contrary, after having voted all the estimates on the same scale of expenditure as those of last year. As there was a probability and universal expectation of a permanent peace, we should have recurred to the principles of expenditure which we had acted on before the war. It was true, that we were still at war with America; but it was impossible to conceive that America could long contend with this country; and negociations had been entered into, with every prospect of a happy termination. It was, therefore, not without some cause being shewn, that we should depart from the scale of expenditure of 1784. At that time the expence of staff and garrisons was 6,400*l.* now seldom so little as 600,000*l.* The ordnance was 400,000*l.* now between four and five millions. The civil list was 895,000*l.* now 1,200,000*l.* The other items had increased in proportion. The interest of the debt was then nine millions; it would at present be more than forty millions, when the whole was funded; yet, though then there was so much less need of reduction, the whole expenditure was 14,400,000*l.* about five millions more than the interest of the debt. It was the bounden duty of the House to look to the lowest scale to which the expenditure could be reduced. The hon. gentleman concluded by saying, that he should not object to the items of the estimates.

Mr. *Bennet* said, that among the various branches of military expenditure to this country, the army in Sicily was one, respecting which he wished to know the intention of his Majesty's ministers. While we were at war, Sicily was of importance, as a military station; but as we were now at peace with the nations on all the shores of the Mediterranean, it was the duty of the House of Commons not to allow an army to be supported in that island, for the purpose of maintaining the sovereign against the people. Under our influence, many important revolutions had been effected in that island. The queen had been banished, and the hereditary prince set up instead of the king. The old Norman constitution, which contained more than any constitution in Europe, the seeds of those establishments, of which we were so proud, had been destroyed, and in its stead a most singular one established; which, in theory, was liberty; in practice, oppression. There had been, indeed, a parliament which sat for a month, but when it had attempted to remedy some enormities in the civil list, it had been dispersed at the point of the bayonet; and a proclamation had been published, threatening, with death, the disturbers of public order. He trusted the noble lord (Castlereagh) would give some satisfaction on this subject. The hon. gentleman then adverted to the hard circumstances in which the veteran battalions were placed;

which, though composed of worn out men, had been sent on foreign service; and the officers, too, were cut off from the hopes of promotion. He repeated his opinions of the former year, respecting the cavalry regulations, which had succeeded in taking away things most useful, and substituting things scarcely even ornamental. Under the present regulations, it would be better, that the cavalry colonels should have nothing to do with the clothing of their regiments, for they were often considerably losers.

Lord *Palmerston* said, that the board, which had drawn up the cavalry regulations, was composed of the most distinguished officers, and their opinions were more likely to be accurate than that of any individual: if the hon. gentleman, however, brought the subject under discussion, he should be ready to meet him. As to the veterans, it was intended to discontinue them as battalions, and to continue the officers on full pay, and the privates on such an allowance as the Chelsea board should think fit. These battalions were composed of men who, though not fit for active service abroad, were thought able to sustain the less severe duty of garrisons. The reason why the usual practice of keeping these troops at home had been departed from, was the unprecedented demand on the country for military force. Although they had been sent abroad, they had been stationed in garrisons, only in Madeira or North America, so that the severity of the service was not increased; and every attention had been paid to the comfort of the individuals. So little hardship was there in the case of the officers, that more applications were made for commissions in the veteran battalions, than could be attended to. It was very easy to say, that reductions ought to be made; but, in details, he defied any person to show, that economy had been neglected. It was impossible to reduce the regiments till all the battalions returned; but orders had been issued to reduce the cavalry regiments within reach; the troops having been reduced from 10 to 8, the number of men in each troop from 80 to 60. As to the reduction of the militia, &c. as early as April last, it was to be recollected, the number of French prisoners, for whose safe custody we had to provide. All possible progress was made in the reduction of the militia; all regiments that could be spared being marched back to their counties to be disbanded. As to the staff, it could not be reduced till the troops to which it was attached had returned home. It was sufficient that the peace establishment, in general, would be formed on the most œconomical arrangements. As to the pay of general officers, it was proposed to increase the pay of those who had not regiments, from 1*l.* 12*s.* 6*d.* to 1*l.* 18*s.*, which would make, in all, an income of 700*l.* a year. It would still, however, be a mark of distinction and of advantage to possess regiments; but those, who were not of that opinion, might give them up and receive the increased pay.—The noble lord, adverting to the guards, observed, that such officers of that body, as became general officers, would be wholly relieved from regimental duty, with regard to which, indeed, such officers were heretofore found quite inefficient in certain cases. These officers, then, being so relieved, the captains and other officers likely to succeed them, would gain in rapidity of promotion. As a farther provision for the officers of the guards, who, from their services, he thought peculiarly entitled to the consideration of the House, the noble lord said, that he proposed to grant to the first major of the first regiment, which consisted of three battalions, 900*l.* a year; to the first majors of the second and third regiments, each of which consisted of only two battalions, 700*l.* a year: to the captains of the several regiments of guards, he proposed to grant 500*l.* a year, but on half-pay, he proposed an addition of 50*l.* a year, to the ordinary allowance to the captains of the first regiment, who appeared to have a stronger claim; and 30*l.* a year to the captains of the other two regiments; to the lieutenants of the army who had had an additional pay of one shilling a day, he proposed to grant an addition of six-pence a day on half-pay; the half-pay of ensigns he proposed to fix at three shillings a day. The noble lord concluded with some general observation in support of the proposed arrangement.

General *Gascoyne* thought, that as the committee would be the proper place for going into details, any observations upon them would be inappropriate upon the motion before the House.

Mr. *Ponsonby* said, that he had some observations to make which applied to the principle of the motion. That the military establishment of the empire could not be consistently reduced to the standard at which it stood previous to the war, he was ready to admit; but he contended, that every excess, beyond that standard, ought to be justified upon its own grounds. The excess, created by the acquisition of Malta, the Mauritius, and other places, by the late war, clearly admitted of justification; but no farther excess than that which was equally necessary should be tolerated; and, exclusive of such points as he had alluded to, our military establishment ought to be confined to that which existed previous to the revolutionary war. The noble lord had observed, that our military establishment must be regulated by the amount of force maintained by other European powers, and he confessed, that he was much surprised at this observation. Certainly it was not very consistent with the statement of another noble lord (Castlereagh), that we had now to look for a long, a profound, and unsuspicious peace; if so, it could not follow, that because Russia, or Austria, or any other power, maintained 30 or 40,000 troops more than usual, this country should be encumbered with the support of an additional military force. Unless, indeed, the statement of the noble Secretary for foreign affairs was too sanguine, the doctrine of the noble lord who spoke last, was quite untenable.—Here the right hon. gentleman alluded to the state of Sicily, and the views of government with regard to that country. Upon this subject, respecting which, he did not mean to pronounce any blame upon ministers, he felt himself unable to form any opinion, for he could not understand the case. Indeed, it appeared, at present, unintelligible, and perhaps it was not yet expedient to give any explanation.

Lord *Castlereagh* said, the House and the right hon. gentleman must be aware that the affairs of Sicily were at present in a very critical state. That country had, no doubt, great claims upon Great Britain: it was entitled to expect, that we should actively interest ourselves in its favour; and he could say, that nothing in our power would be wanting to contribute to its future advantage. With respect to the right hon. gentleman's allusion to the character of the peace, he could not help observing, that rather an exaggerated picture was presented by the right hon. gentleman upon that subject, for the House and the country could not dismiss from its mind, that, however deliberately the peace with France might have been formed, much yet remained to be done. It would be recollected, that all the territory regained from France was yet to be distributed; and, under all the circumstances of the case, he submitted it would be quite impossible as yet to reduce our military establishment to the standard which some gentlemen had in view, at least to that which existed twenty years ago. It must also be borne in mind, that very material changes had taken place in the external relations and internal condition of the several nations of Europe, which it would be expedient to consider before any resolution should be adopted with regard to the future amount of our military force. Recurring to Sicily, he was not prepared to give any precise information upon that point at present, but he could assure the House that due attention would be paid to the state and destinies of that country.

Mr. *Bankes* deprecated the idea of leaving this country in any degree dependent upon the discretion of other powers, and referred to the arrangement proposed by that great statesman, Mr. Pitt, as to the amount of our military force, upon a peace establishment, in order to guide the judgment of the House, who ought to bear in mind, that while men were influenced by their passions, the jealousy or instability of nations was not likely to cease, and that it would be absurd in this country to calculate upon a security from war. Therefore he would always recommend, that due provision should be made against the visitation of such a calamity, which, at least, was not more improbable in future times, than it had been previous to the revolutionary war. The hon. member concluded, with observing, that adequate preparation and vigorous exertion was ever the best mode of terminating, if it did not prevent a war; and that, if that principle had been acted upon, the war, which separated the American states from Great Britain, would have been much sooner brought to an end, with most probably a very different result.

Lord *Newark* said, that the officers of the guards would suffer through the arrangement proposed by the noble lord; and in support of this assertion, he quoted a statement lately presented to the commander-in-chief. From this statement, he showed that those officers would suffer; and he maintained, that from the important services which the guards had rendered throughout the war, the officers of that meritorious corps should not have to com-

Borough gaol had not been in a proper state; positively contradicted the statement made by the hon. gentleman of the scramble for the provisions sent into Newgate; and remonstrated strongly against some unfair advantages which had been taken by the supporters of the measure.

Sir *T. Ackland* said, he had been to the Borough compter that very day, and he found, that a man came there on Saturday last, who could get no bed. A few carpets were got together for him, through the kindness of his fellow-prisoners. On Sunday he got a bed, not from the magistrates, but through the kindness of the gaoler.

Mr. *Holford* said, that those gentlemen who wished him to withdraw his measure, would change their opinion, when they heard the language of the hon. alderman, who spoke some time before him. The Report stated the want of food, fuel, bedding, and religious instruction: it stated the prevalence of improper conduct, and the introduction of spirituous liquors: the Borough compter was on all hands admitted to be in a most miserable state; the attention of the magistrates had been called to it again and again, ineffectually, by Mr. Nealde and others; and when these abuses were attempted to be remedied, they were assailed, on all hands, with an attempt to degrade the magistrates of the city of London. These abuses were still unremedied in a great measure; and, if they had this specimen of the manner in which the gaols were conducted, while the subject was under the notice of the House, what was to be expected when all enquiry was gone by?

Mr. *Bathurst* contended, that most of the evils, in the management of Newgate, arose from the over-crowded state of the gaol. Till this was remedied, the committee could not do any good, and the appointment of it was unnecessary.

Mr. *Barham* protested against the practice of charging every measure, like the present, with being an attempt to degrade constituted authorities.

Mr. Alderman *Combe* thought the magistrates were perfectly competent to discharge the functions which this Bill proposed to take from them.

The House then divided. For the amendment, 22—Against it, 17—Majority, against the Bill, 5.

## HOUSE OF LORDS.

### *Tuesday, July 12.*

Helston Election Bill.] The *Lord Chancellor* asked, if the counsel, who were to be heard against the second reading of the Helston Election Bill, were in attendance.

The Earl of *Lauderdale* said, he wished previously to move, that a certain number of individuals, in a list which he read, should be summoned to attend, and give evidence before their lordships on Tuesday, the 19th instant.

Lord *De Dunstanville* said, the notice could not reach the individuals till Friday next, and he thought a later day ought therefore to be fixed.

The *Lord Chancellor* said, their lordships ought to pause before they ordered a number of individuals to come before them, to give evidence on a subject, respecting which, they themselves knew nothing. Nobody knew, from the Bill, on what account the disfranchisement of the electors of the borough of Helston had taken place. In other bills of a similar nature, the cause was generally stated to be notorious corruption. But the reason assigned for the disfranchisement in this Bill, was merely certain illegal practices. He did not mean to say, that bribery and corruption were not included under the expression, illegal practices; but there were many illegal practices which would not warrant them in disfranchising a body of electors. He did not know what might be proved under this allegation. If persons were brought before them vexatiously, it would be in the power of the House to animadvert upon it; but, as he had before said, they ought to know what the witnesses were sent for to prove.

The Marquis of *Lansdowne* thought the House ought not to proceed hastily, at the present advanced period of the session, with a Bill which would have the effect of disfranchising a great body of electors. He saw no injury which could result from delay; and he thought that the House ought to come to an understanding not to read the Bill a third time in the present session. He understood, however, that a number of witnesses were in readiness to attend their lordships, and it would be a pity, that all the expense and trouble, which this must have occasioned, should be thrown away. Till he heard the evidence, he could not make up his mind as to the vote he should give.

not much exceeding 700*l.* a year, in order that it might be sufficiently below a regiment, to render the latter an object worth bestowing as an increased benefit and favour.

Mr. *Bankes* wished to know the precise number of commissions, which this measure would place at the disposal of the commander in chief.

Lord *Palmerston* said, the extent of the patronage would be limited wholly to the guards, and the number of commissions would not exceed 35.

Mr. *Bennet* explained. In considering the measure as a job, and in alluding to the desire in the commander in chief of grasping at patronage, he had spoken advisedly. He was the last who would advance any charge loosely or rashly, and he was also the last man to retract it loosely or rashly, when deliberately made.

Mr. *J. P. Grant* contended, that the scale proposed by the noble lord was wholly inapplicable to the lieutenants and ensigns of the army, to whom it would not afford the maintenance to which they were entitled. The ensigns would have but 3*s.* a day—not the wages of a day labourer! It was a situation of extreme hardship in which those gentlemen ought not to be placed. The noble lord had by no means answered the objections which had been made to the propositions respecting the guards. The subject was to him unintelligible, except that he knew that it was proposed to expend 3,000*l.* a year in a way not acceptable to those by whom it was to be received.

General *Gascoyne* was about to propose his amendment, for adding 1,000*l.* to the grant, but

Mr. *Ponsonby* observed, that he had an amendment, which, according to parliamentary usage, must supersede that of the hon. general, as it went to reduce the grant; while that of the hon. general tended to increase it. The object that he had in view was to put an end to the measure respecting the guards, by deducting, from the vote, the sum of 10,000*l.* which would have that effect; and he should therefore move, as an amendment, for the words "a sum not exceeding 40,000*l.*" to substitute the words "a sum not exceeding 30,000*l.*"

On this amendment the committee divided. For the amendment, 19; against it, 53—majority, 34. The committee subsequently divided on general Gascoyne's amendment. Yeas, 21; Noes, 53—Majority 32.

The original resolution was then put and agreed to; as was also a resolution for granting a sum, not exceeding 30,000*l.*, for the disembodied militia of Ireland.

LONDON PRISONS' BILL.] The order of the day having been read, for taking into farther consideration the Report of the London Prisons' Bill; Mr. Holford moved, that the Report be now taken into consideration.

Sir *W. Curtis* warmly contended, that no circumstances had appeared which would justify parliament in overturning the ancient constitution of the city in this respect. What peace or order could it be expected would be preserved by magistrates; who, if this Bill passed, would be, in effect, degraded, disgraced, reviled, and spit upon? He had acted for twenty years as a magistrate, and he felt that he had conscientiously and honourably discharged his duty, and so he was sure had all his brother magistrates.—The most unfounded statements had been made. It had been said, that the meat was thrown into the prison of Newgate, to be scrambled for by the prisoners. The morning after this statement, a paper had been spontaneously signed by 60 or 70 of the felons, contradicting it in the most unequivocal terms; and declaring, that they were as well treated in every respect as possible. In consequence of what had been said of the custom of garnish money, it had been stopped by the court of aldermen; but a representation had subsequently been made to them, that the prohibition would deprive some of the unfortunate persons confined, of little comforts, and make them completely miserable. With respect to the borough gaol, he allowed that abuses had existed in it, but those were not attributable to the magistracy of London, who had no controul over that institution. The hon. baronet concluded, by moving, as an amendment, that the Report be taken into further consideration on that day six months.

Sir *J. Shaw* seconded the motion, and expressed his hope that the Bill would be lost by a considerable majority.

Mr. *Bennet* re-asserted his statement of the scramble in Newgate for food, and denied that the magistracy had no right to interfere with the Borough gaol. The way in which they had permitted Dr. Ford, so long and so grossly, to neglect his duty was a sufficient ground for parliamentary interference.

Mr. Alderman *Atkins* admitted, that the

Borough gaol had not been in a proper state; positively contradicted the statement made by the hon. gentleman of the scramble for the provisions sent into Newgate; and remonstrated strongly against some unfair advantages which had been taken by the supporters of the measure.

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Mr. Alderman *Combe* thought the magistrates were perfectly competent to discharge the functions which this Bill proposed to take from them.

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## HOUSE OF LORDS.

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Earl *Stanhope* said, the difference between this and former bills, of a similar nature, was, that they were properly worded, and this was not. But though the expression of illegal practices was too wide, there was no objection to the making enquiry, but merely to the passing the Bill with a preamble so improperly worded.

The *Lord Chancellor* said, it appeared to him, that the practices should not only be illegal, but such as to justify them in the measure they were adopting. His objection to the wording of the present Bill, was, that it would open the door to investigations of practices of all kinds. They ought to know on what points the witnesses were to be examined, before they ordered them to attend. For their convenience, before going into the evidence, they ought to have a statement of what the illegal practices were.

Some conversation ensued between the earl of Lauderdale, the Lord Chancellor, earl Stanhope, lord Ellenborough and lord Redesdale, chiefly on the loose nature of the expression, in the preamble, of "illegal practices," on the mode of examining witnesses, and, as to whether the Bill could be gone through this session. It was at length agreed, on the suggestion of the Lord Chancellor, to call in the counsel, in order to understand from them the general nature of the facts to which they proposed to call evidence. Mr. Adam, Mr. Serjeant Pell, and Mr. Harrison, accordingly appeared at the bar. Mr. Adam, as counsel for Mr. Plumer, a freeman of Helston, a petitioner against the Bill; Mr. Serjeant Pell, as counsel for Mr. Wallis, in favour of the Bill; and Mr. Harrison for Mr. Scott, a freeman of Helston, against the Bill. Mr. Serjeant Pell being called on by the House, stated, that a small number of persons, corporators of Helston, had monopolized the right of returning members for the borough: and had, for benefits conferred on them, either as a body or individually, transferred that right to an individual, at whose will and pleasure the members for the borough were returned.

The Lord Chancellor proposed to postpone the further consideration of the Bill till Thursday, that the House might then consider what course they would take with regard to it, which was agreed to.

## HOUSE OF COMMONS.

*Tuesday, July 12.*

Poor Relief Bill.] Sir *E. Brydge* moved the order of the day, for taking into further consideration the report of the Poor Relief Bill.

Mr. *Western*, after giving due credit to the benevolent intentions of the hon. mover of the Bill, felt himself bound to oppose it *in toto.* 1st. Because it appeared to him impracticable, on account of the complexity of its provisions. 2d. Because those provisions were not in conformity to the preamble: inasmuch as that preamble proposed, to have it in view, to take away the grievance of a removal, in consequence of the grant of mere temporary relief; whereas, for his part, he could not find out any thing in the Bill calculated to effectuate any such purpose. 3d. Because the Bill involved a principle in his mind highly objectionable, which was this—that the magistrates would have power to make orders of payment on parishes, not present, to resist such orders. 4th. Because the trouble attending the various proceedings, which the Bill created, alarmed him, when he looked to the examination of the witnesses, the adjudication, the allowance, &c. &c. 5th. Because the provision for a re-examination, before an appeal appeared to him defective, as he could see no mode devised as to what was to happen, in case the justices revoked their adjudication. 6th. Because the charges in obtaining reimbursement, would, as he was informed, run to not less than *3l.* or *4l.* 7th. Because it would necessitate parishes to open a debtor and creditor account to a large extent with other parishes, and he was informed, that the parish of St. Giles's had now not less than 1,000 removals in a year, and this Act would therefore open 1,000 accounts in its stead. As to the 2d clause, in affording medical relief, it appeared to him objectionable, as interfering between the parish and the medical practitioner; and that, as the law at present stood, the medical practitioner, if he could get no payment from the pauper, had, at least, the advantage of the credit and collateral practice that such aid gave him.

Mr. *Pole Carew* went over the same ground, and, at least, hoped that the Bill might be deferred till another session.

Sir *E. Brydges*, in reply, expressed his extreme surprise at the objections now made by the hon. member for Essex, because he could not perceive the smallest weight in any one of those objections. He doubted, indeed, if he could have attentively read the Bill, much less have taken the pains to understand it, at least in some of its main provisions. He hesitated, whether to intrude on the House so far, as to enter into a detailed answer to all the misconceived objections which the hon. member had so minutely gone through. He would endeavour to avoid wearying the House, by being as general and brief as possible in his reply; yet, weak and untenable as those objections appeared to him, he could not avoid all answer to them, lest those, to whom the Bill was not equally familiar, as it was to himself, might be misled by uncontradicted errors. With regard to the charge of complexity, he must presume to say, that never was any thing more unfounded. He insisted, that the simplicity and perspicuity of the Bill, was a merit which none, who looked with attention to it, could deny. He had had the best advice; and not only all the professional skill, but the most unqualified approbation of those known to be most eminently qualified in this branch of the law, as to its practicability, and easy, and intelligible execution. The second objection still more astonished him. Was it possible that the hon. member could complain, that no provision was made, in conformity with the preamble, to prevent removals, in consequence of temporary relief? Why, if this was not done, there was no meaning in words! At the very top of page 2, it would be found, that the justices "shall determine and direct what relief shall be paid weekly, or otherwise, &c. without making any order for the removal of such poor person." This was the very main feature and essence of the Bill; and, to effectuate this purpose, without burdening the parish, whence the pauper was thus made for a time irremoveable, all the minor provisions and machinery of the Bill were anxiously adapted.

The third objection, which was directed against one of these minor provisions, appeared to him not a little strained and far-fetched. Parishes refuse to take the burden of paupers on themselves, even for a time. If an attempt is made to facilitate and extend settlements, the kingdom is in arms: overseers and vestry clerks flock and herd together, and petition and clamour. And yet, when it is proposed to order payment by the parish, where the settlement is by the existing law, then it is objected, that neither ought they to pay; because, forsooth, they are often too remote to attend at the making of the order. The truth is, that it is a discretion which, in this case, must *ex necessitate rei*, be left in the breast of the magistrate, where it is not likely to be abused; and where, at worst, if abused, it cannot last beyond the time required for a final adjudication of the settlement.

The fourth objection, contained an expression of alarm on the part of the hon. member; which, a little further attention to the Bill, would, as he contended, have entirely dissipated. Certainly it furnished an example of exaggeration on the part of those, who instructed the hon. member, not a little striking! All that was to be done, as to adjudication, beyond what was now required, to found an order of removal, was a service of a copy of the adjudication on the parish to which the pauper was adjudged to belong, instead of a service of the body of the pauper, and the bodies of all the pauper's family. So far, at least, it might be conceived, that it was proposed to exchange, not simplicity for complexity, but complexity for simplicity; at least, it might be argued, with some tolerable share of justice and reason, that it was both more easy and less expensive to convey, through the post, a written adjudication, to be served by an agent, than to convey a poor man and all his family from Middlesex to Cornwall, even if we were to put the tortured feelings and ruined hopes of the poor man out of the question!

But the hon. member contended, fifthly, that there next was superadded to this intolerable complexity another impracticable provision, which threw in the way difficulties of execution in his mind, not only insuperable, but unattempted to be provided for. There was a clause, that after the copy of adjudication served, the parish, so burdened, might, before appeal, require a re-examination before the same or other magistrates! "But what," he cried, "if the first adjudication should then be reversed—what must be done with the pauper?" Why, did not the hon. member know, that, like the case of an order of removal quashed on appeal, the pauper remains in the parish where he was resident before the adjudication, till a new settlement can be found for him? So much for these giants raised by the fertile fancy of the hon. gentleman! So much for the complexity created by this single intermediate step provided by the Bill!

We now come, sixthly, to the complaint of grievous charges to be incurred by parishes for enforcing orders of reimbursements for temporary relief advanced. The same partiality, the same exaggeration, the same mode of viewing only one side of the question, occurs in this instance. It is said, that to obtain the means, contained in every order, an expense of 3 to 4*l.* must be incurred. A calculation had been exhibited to him to this effect; and how was it made out? Why, all the expenses of adjudication were included (which have nothing to do with the order of reimbursement) 1*l.* 1*s.* 6*d.* for three affidavits, where none is required, and other items charged twice—so that, after deducting these, the expense, on this head, remained at the mighty sum of 7*s.* 6*d.* But had those, who argued in this way, forgot, that whatever expense might be incurred by these provisions, even if they amounted to the exaggerated sum they estimated them at, parishes were great gainers by the exchange, when it was recollected, that the Bill, which imposed it on them, exonerated them from the expense of removing the pauper; and it was quite clear that the expense of removing a pauper to a distance increased out of all proportion to that of obtaining reimbursement from a distance! The 7th objection, as to the debtor and creditor account, is open to the same answer. If the parish of St. Giles's now makes 1,000 removals in a year, it furnishes the strongest and most urging proofs of necesssity for the present Bill. It is much easier for that unlucky parish to keep these debtor and creditor accounts, and enforce them too, through agents authorised, by the medium of the post, than to be sending its officers about conveying paupers all over the kingdom!

In reply to the objections to the second clause, regarding medical relief, he was by no means of opinion, that the medical man would find a sufficient stimulus to afford his aid to the poor for the barren honour of a remote contingence of collateral practice; and, as to the reason for the law as it now stands, that the medical man had already his remedy by action against the pauper, it was too ludicrous, or too insulting, to be seriously entertained. In short, sir Egerton trusted, that, after the length of time that had been taken for the consideration of this measure; after the support it had received from those, best qualified to form a sound opinion on it; after the letters of approval, which he could truly say he had received from magistrates in every part of the kingdom; after the irrefragable grounds of reasoning, justice, and policy, on which the principle of the Bill had been established, the House would not reject the measure in its present stage; but, by giving its sanction to it, add some necessary extension to the Bill which had passed in the 35th of his present Majesty, called East's Bill—a Bill found to be more beneficial than all besides, that had been enacted since the first insitution of the Poor Laws.

A division then took place on Mr. Western's amendment, for the taking the Report into further consideration this day six months—For the Amendment, 21; For the original motion, 30. Majority, in favour of the Bill, 9.

The Report of the Bill was then about to be taken into further consideration, when it was discovered, that a written copy of the Bill, in its amended state, had been, by some mistake, omitted to be made, and it was therefore deferred to the next day.

NEW POST OFFICE.] Mr. *Baring* presented a petition from the merchants and bankers of the city of London, praying that the House would take into consideration the great inconvenience they would experience by the removal of the Post-office; and further, that it might not pass into a law.

Mr. *Bankes* was of opinion, that the subject of the Petition was highly deserving of consideration. The first object should be, to enquire what advantage was likely to accrue to the public from removing the Post-office; and the next, whether the advantage, if any, was worth the immense expense that must inevitably attend the measure, especially in the present state of our finances. In his opinion, it required to be very seriously and strictly enquired into, before the House and the country should venture to embark in an expenditure of such excessive extent. He understood, that the purchase of the site alone, would cost the public 300,000*l.*; for which, during a certain time, they were to receive no interest at all; and, after that period, the Orphan's fund was to be mortgaged for the payment of the interest of a part only of that sum. There would then be the expense of building, which might turn out very enormous. The House should first enquire, and find out, what would be the expense; a committee should be fairly appointed, with powers to send for persons, papers, and records. Let the merchants, and others concerned, shew all the inconveniences attending it, and let every circumstance be thoroughly investigated, that could throw a light on so important a subject. He should, therefore, move, that this petition, and all others that might be offered, relative to this Bill, be referred to a committee.

The *Chancellor of the Exchequer* said, it was usual to give notice of every motion, of a similar nature to the present, which his hon. friend had now made. He, therefore, hoped his hon. friend would wave his motion till to-morrow; and that, in the mean time, all proceedings on the Bill should be staid till that motion was disposed of.

Mr. *Baring* said, there were 3,000 names to the Petition, signed by merchants and bankers of the first fortune and character in the country, who would not have signed such a petition if they had not felt that the most serious inconveniencies must be the consequence of this measure. As there was to be a committee, he would not, at present, take up the time of the House, by entering into further particulars. He would only wish to mention, that there was a counter-petition, originating, he believed, about Temple-bar; at the meeting for which, Mr. Twining was in the chair. It seemed they had received all their information from the Post-office, and it was not therefore difficult to foresee what sort of materials it would be composed of. He hoped, however, that the business would now be thoroughly investigated; and he saw no reason why it should not be put off till next session.

The Petition was ordered to lie on the table.

Mr. *Butterworth* then presented a Petition, from nearly 4,000 bankers, merchants, and traders, resident at the west-end of the town, praying, the enactment of the Bill for the removal of the Post-office. The hon. member stated, that this Petition came from persons not at all connected with the original framers of the Bill, to which it referred, but who were interested in the early delivery of letters; and anxious for an arrangement, which would keep the receiving-houses open for half an hour later in the evening. This was naturally conceived a very material advantage to the inhabitants at the west-end of the town, which entitled the petitioners to particular attention, and the more so as the convenience of the merchants in the city was fully provided for in the Bill. It was notorious, that five out of seven of the letters received at the General Post-office were addressed to the west end of the town, and which circumstance pleaded strongly in support of the petitioners; and the manufacturing districts would be considerably benefited by the additional opportunity which the extension of the time, for receiving letters in the evening, would afford to their correspondents to answer their communications. Such he understood to be the impression among several Manchester houses with which he had had a communication upon the subject.

Mr. *Wrottesley* observed, that, by paying a certain sum annually, any man might insure the early delivery of his letters; and that the difference between the early and the ordinary delivery of letters at Lincoln's-inn, for instance, was no less than an hour and a half. This difference surprised him and others, with whom he had conversed upon the subject. Indeed, he could not account for the reason why all the letters might not be delivered at the same time, if due diligence were employed at the Post-office. But to whose hands the guinea a year, usually paid for this early delivery, finally fell, he could not say, but he thought that it would be much better to create some fund to insure the early delivery generally, than allow it to rest upon the discretion of any individuals.

Mr. *Rose* said, that when the Bill was originally introduced he was adverse to it, because he apprehended that its enactment would be inconvenient to the merchants of London. But that inconvenience was provided against, and he now thought the measure highly desirable; and the several points referred to by the petitioners, as well as that stated by the hon. gentleman, who spoke last, certainly called for enquiry.

Mr. *Butterworth* stated, that, exclusive of the other considerations, which called for the enactment of the Bill, the citizens of London, who considered the present state of St. Martin's-le-Grand as a nuisance, were extremely anxious for the improvements which this Bill was calculated to produce.

The Petitions were referred to a committee.

COPY-RIGHT BILL.] Mr. *Giddy* proposed, that the report of this Bill should be postponed to next session.

Mr. *J. Smyth* expressed a wish rather

that the Bill should now be re-committed, than that it should be postponed altogether.

Mr. *Giddy* said, he was ready to meet the wishes of the hon. gentleman, and begged he might be allowed to withdraw his original motion.

Mr. *Marsh* said, several gentlemen had left the House, under the impression that the Bill would be postponed till next session.

Mr. *Giddy*, under these circumstances, proposed to postpone the committee for a few days.

Mr. *J. Smyth* said, he would have no objection to agree to the Bill being got rid of for the present.

After a few observations from Mr. Wetherall, sir W. Scott, lord Palmerston, Mr. Manners Sutton, and Mr. Horner, who suggested the expediency of the Bill being then re-committed; Mr. D. Giddy moved, that the Speaker do leave the chair. This motion was carried, and the House resolved into a committee. Several verbal amendments were proposed and agreed to.

Mr. *Giddy* said, he had a clause of rather a curious nature to propose. It was for the purpose of protecting the interests of authors, who were in the habit of writing plays, merely intended for the closet. A gentleman, who had written several pieces of this description, which he conceived to be extremely good, had informed him, that as the law was at present constituted, though the copy-right of any play, he might produce, was secured to him, yet there was no enactment to prevent the manager of either of the regular theatres from bringing it out on the stage, which might seriously injure the sale of the drama. He, therefore, requested him to introduce a clause, "to prevent any play, or any production, purporting to be a play, which should hereafter be published for the closet, from being represented on the stage without the consent of the author being first obtained."

Lord *Palmerston* said, that the clause proposed by the hon. gentleman, was so utterly unconnected with any thing contained in the Bill, that it would, perhaps, be better to reserve it until a bill, to allow the erection of a third theatre, was introduced.

Mr. *Giddy* said, he had no particular attachment to the clause; but, as it was put into his hands, he thought it was right to mention it.

The clause was withdrawn. The House then resumed; the Report was received, and ordered to be taken into farther consideration on Friday.

## HOUSE OF COMMONS.

*Wednesday, July 13.*

IRISH PRESERVATION OF THE PEACE BILL.] On the motion for the second reading of the Bill, to provide for the preserving and restoring of peace in such parts of Ireland as may, at any time, be disturbed by seditious persons, or by persons entering into any unlawful combinations or conspiracies,

Mr. *Horner* immediately rose and opposed the Bill, which he arraigned as an unconstitutional measure, and brought forward towards the close of the session, when most of the members for Ireland were absent, without any statement, that it was called for by any sudden emergency, or any new or extraordinary occurrence in Ireland. It was a measure which, as it stood, would go to deprive his Majesty's subjects in Ireland of the invaluable privilege of grand and petit juries, and transfer the office of these juries to county magistrates; who, with the aid of a serjeant or barrister at law, were to try and condemn to transportation, for an indefinite time, any persons whom they should deem guilty of offences, not defined by law, and at most, merely constructive. He deprecated the habit of bringing bills into the House of late, to pass new laws for Ireland, without laying any foundation to satisfy the House of the necessity of such laws; and in the absence of the members for Ireland, who were most competent to judge of such necessity; and such was the Bill introduced this night, for extending to Ireland the English law of extents, the policy of which was extremely questioned in this country by the ablest lawyers and statesmen, and must be therefore still more questioned in a country where it never was introduced before. As to the present Bill, he was convinced it must tend rather to exasperate the people, and considerably exaggerate the mischief it proposed to remedy, than to produce any salutary consequences; and he never could consent, without grounds, infinitely stronger than he had heard, to such a violation of the constitution of the country, as to abolish the trial by jury, or suspend the ordinary and constitutional operation of the laws, which must be fully adequate to all necessary purposes. He was aware of a too prevalent disposition in the lower orders of the Irish peasants to quarrelling and riot, but he feared they were not the only class of persons who required controul; and he alluded to the recent affair at Castletown, where four men were shot by the military, who had been ordered, by two magistrates, to fire on an indiscriminate multitude; and one of which, four persons, was an unoffending man, and the father of ten children.

Mr. *Peel* rose in reply to Mr. Horner. The hon. and learned gentleman, he said, had complained, that he could not understand the Bill, on account of the number of blanks and omissions. The hon. and learned gentleman must be aware, that there were necessarily a number of blanks in every Bill, which were to be filled up in the committee. He had presented the Bill in the usual form, and without a single blank; and if, in printing it, there had been any deviation from the established usage, in regard to the nature or the number of the omissions, he was not responsible for it. He had, however, apprized the hon. and learned gentleman and the House, that he might, by a reference to the Act of 1807, see the exact words of this Bill, because it was copied from that Act. Every member had it, therefore, in his power to have made himself acquainted with all the details of this Bill, without waiting till the blanks were filled up in a committee. Another complaint of the hon. and learned gentleman was, that this Bill made a great innovation in the law of Ireland, by taking away the trial by jury; now he had, when he had obtained leave to bring in this Bill, stated the full extent of the innovation, which was this, that in a court, composed of magistrates, assisted by a serjeant at law, or one of his majesty's counsel, the court might, in cases which appeared to them absolutely necessary, dispense with the trial by jury. This, he admitted, was a great change in the law; but did not the necessity of the case call for it? In the year 1807, parliament felt itself bound to adopt this very measure; and, surely, no one could say, that there was any thing in the circumstances of the present period, which rendered it less necessary than it was in 1807. In many cases, parliament had, under circumstances of great and pressing danger, sanctioned greater deviations from the law than that which was now proposed; and of the necessity of some such measure at present he did not think, after the melancholy detail which he had submitted to the House, on a former night, and after the sentiments which had been expressed by every member from Ireland, who had spoken upon the Bill, that any doubt could remain upon the subject. With regard to apprehensions which had been expressed, that injustice might be done to the persons tried under this Bill, he begged leave to state, that, in the original Bill, a power was given to the magistrates to sentence a person, convicted, to transportation; but a clause was added by a right hon. baronet, member for Waterford, by which a serjeant or king's counsel was added to the court, and unless such serjeant or king's counsel concurred in opinion with the majority of the magistrates, the sentence could not be carried into execution. He was not, however, surprised at the observations which the hon. and learned gentleman had made, because he appeared to be totally ignorant of the object of the Bill. He seemed to suppose, that its object merely was for the protection of witnesses; now that was not the object of the Bill, nor had he ever stated it so to be—the object of the Bill was to put an end to that system of plunder and outrage, by which Ireland was disturbed and disgraced, and to afford protection to the quiet and industrious part of the community. That one of the objects of the Bill was to protect witnesses, was undoubtedly true; but it was far from being the only object. If the hon. and learned gentleman had looked at the Bill attentively, he would have found that it did not require any great weight of evidence to convict a person under this Bill, because it was sufficient to prove, that he was absent from his house at the time forbidden by law.—This Act was also calculated for the protection of jurors, and he would appeal to any gentleman, who heard him, and who was acquainted with the state of Ireland, whether it might not be absolutely necessary, in some of the disturbed districts, to dispense with juries, in order to secure the due administration of justice; because the cruel alternative in which a juryman, in such a case, might be placed, was this, he must either acquit the guilty to secure his own safety, or he must risk his own life by performing his duty. But this Bill did not necessarily take away the trial by jury, it only gave the court a power to dispense with them in cases in which it appeared absolutely necessary. In the extraordinary state in which some parts of Ireland were at present, to go through all the forms of law, and to have grand and petit juries, would be utterly impossible. If some such measure as the present were not adopted, the offenders might continue their outrages with impunity; where a country was in such an extraordinary state that it was necessary to keep the people in their houses from sun-set to sun-rise, it appeared to him quite absurd to suppose that the ordinary forms of the law could be adhered to.—The hon. and learned gentleman had said, that there were others, besides the actual perpetrators of these outrages, who were guilty of promoting these disturbances. The hon. and learned gentleman was right, and he had in his own instance afforded a practical proof of the truth of his position. One of the many causes which had contributed to keep alive the spirit of discontent and irritation, and to foment those disturbances, was the exaggerated statements which were constantly made to them of the grievances under which they were supposed to labour. The hon. and learned gentleman had himself unintentionally, and from misinformation, no doubt, made a very exaggerated statement to the House, of the unfortunate affair at Castletown. The hon. and learned gentleman had talked of the rash and unprecedented conduct of the magistrates, in ordering the soldiers to fire, &c. Now, before the hon. and learned member took upon himself to make such a statement, it would have been quite as well if he had waited till he had seen the result of the investigation, which he knew the government of Ireland had ordered to be made respecting this transaction. He thought such would have been the hon. and learned gentleman's duty, to have ascertained the facts, before he presumed to make such a charge. He (Mr. Peel) had not yet received the result of the official enquiry instituted into this affair, but he believed that the hon. and learned gentleman's statement was unfounded, or, at least, grossly exaggerated. He had received a letter, informing him, that the report would be sent over in a day or two; and it added, that it had been ascertained that no orders had been given to the soldiers to fire, and that they did not fire until the mob had actually closed with them, and were endeavouring to wrest their arms out of their hands. The hon. and learned gentleman talked of the indiscretion of magistrates in calling in military parties to protect the public peace at fairs in Ireland, and of the ease with which the civil power could repress any of these little venial excesses, which occasionally break forth. The hon. and learned gentleman might be very well informed of the practice at a Scotch or an English fair, and his observations very applicable to them; but he appeared to have very little experience of Irish fairs. The hon. and learned gentleman seemed little aware that fairs in that country were the chosen scenes of the most sanguinary and preconcerted conflicts. In a recent instance, to which he had before occasion to allude, the fair of Shircock, at which there was no premeditated combat, a melancholy affray took place, in which seven lives were lost. Now did the hon. gentleman really think, that it would have been an act of criminal indiscretion, if any magistrates had been there, with a military force, ready prepared, to prevent such a scene of bloodshed; or would he consider it as a fair ground of charge against the military, if they had been present, and had fired in their own defence, when they found themselves assailed and an attempt was made to disarm them? Would this have been a criminal indiscretion on the part of the magistrates, or a wanton outrage on that of the soldiers? He meant to apply these remarks generally, and not as applicable to the particular affray at Castletown—the detailed report of which, he had not yet received. The hon. and learned gentleman had said, that all history and experience, and particularly in Ireland, had shewn that extraordinary measures of this kind had always tended to increase rather than to diminish the evil. To shew the hon. and learned gentleman how completely he was misinformed upon the subject, it would only be necessary for him to look at the effect which this very measure produced when passed in 1807. So far from increasing the evil, the very circumstance of passing the Act had rendered it unnecessary to carry it into execution; and his predecessor, Mr. Wellesley Pole, had thought himself justified, on the ground of restored tranquillity and peace in Ireland, to repeal, in 1810, the very measure which, in 1807, his brother (the duke of Wellington) had introduced, on the ground of disturbance and disposition to insurrection. The hon. and learned gentleman's argument, therefore, on the ground of experience, was utterly destitute of foundation.

Sir *S. Romilly* rose to state shortly why he should vote against the Bill. The precedent of the Act of 1807 had no weight with him, because he then thought, and thought still, that no such Bill ought to be passed until a committee was appointed to enquire whether it were necessary. At the time the Act of 1807 was proposed, he recollected that a right hon. gentleman (Mr. Grattan) had stated distinctly, that a French party then existed in Ireland. If this proved the necessity of the Bill then, what could be said now, when we were at peace with France? The House could not be justified by any individual rising and stating, that so and so was the situation of Ireland, in depriving the Irish people of their rights. The facts should be proved before a committee; and it ought also to be proved, that an immediate enactment was necessary, and also why the Bill had not been sooner brought in. It was not proper to desire those who wished to know the provisions of this Bill to look into the Act of 1807. It was very truly stated, that the Bill dispensed with evidence; and when the right hon. gentleman talked of the odium to which jurors were exposed, he should have recollected that the odium was transferred by the Bill to the magistrates.

Mr. *Rochfort* spoke strongly in favour of the Bill. The measure had been loudly called for by the nobility and magistracy of the county which he had the honour to represent, long before it had been brought into the House.

Mr. *Fitzgerald* said, that as the hon. and learned gentleman prided himself on supporting his consistency, by opposing the measure, because he had done the same in 1807, parliament, he hoped, would maintain its consistency, by passing it into a law. As to the grounds for the measure of 1807, that a French party existed in Ireland, he thought it a much less weight in support of a measure of this kind, than the notoriety of the present disturbances; for though quite insufficient to suppress a French party, it would protect the property and lives of the loyal from nightly danger. The measure was one to bestow protection on the people of Ireland, and not to take it from them.

Mr. *Abercromby* deprecated the idea, that any member, who honestly stated his opinions in that House, should be considered a party to the disturbances in Ireland. He denied, that the disturbances were notorious to the House, for he would venture to assert, that when the right hon. gentleman opened his terrible budget on a former night, the facts, stated by him, were perfectly new to the House. Unless the House went into a full enquiry to know in what way the law had failed, how was it possible to apply a proper remedy? The hon. member deprecated the measure, as it proposed to deprive the people of Ireland of the trial by jury, in certain districts, and place them at the discretion of local magistrates, who were, he was sorry to understand, in that country, too liable to the influence of very unworthy prejudices, and the more unworthy, as they originated in a spirit of religious dissention. But the enactment of a measure of this nature was peculiarly exceptionable, as it was pressed forward so abruptly without any previous enquiry to satisfy the House and the country of the necessity upon which its authors professed to rest for their justification. The case of Ireland was, indeed, most deplorable; for while this Bill was so precipitantly urged, professing to be an enactment only for a temporary purpose, its advocates argued so as to induce an inference, that it was intended to make it a part of the permanent system for the government of that unhappy country.

Sir *H. Parnell* said, that the more he reflected upon this subject, the more he was convinced of the propriety of the opinion which he expressed some days ago, that a measure of this extraordinary nature should not be introduced without a previous and ample enquiry.

General *Harcourt* spoke in favour of the Bill.

Mr. *Bagwell* bore testimony to the necessity of the measure for the protection of the loyal subjects of Ireland, against robbery and outrage. Nay, he was persuaded, that in order to render that protection effectual, martial law ought to be proclaimed in the disturbed districts of Ireland.

Mr. Croker and colonel Vereker followed on the same side.

Mr. *D. Browne* expressed his regret, that the Bill before the House was rendered necessary by the state of certain districts in Ireland; but with a view to the permanent preservation of the peace of that country, he thought that a more comprehensive system was called for. He trusted, therefore, that by the next session, the right hon. secretary would be prepared to submit such a system to the consideration of parliament, as should serve to secure to Ireland that degree of tranquillity which it ought to possess, but which, in fact, it had not had the fortune to enjoy for a century.

Mr. *J. P. Grant* spoke in support of the proposition for enquiry, before a measure of this extraordinary character was carried into a law. He pressed it upon the consideration of the English representatives, how they would feel, if it were proposed to put any portion of England out of the pale of the constitution, by depriving its inhabitants of the trial by jury. Why, then, should they look with such indifference at the fate of their fellow subjects of Ireland? The state of that country imperiously called upon parliament for a thorough investigation, and for a very different regimen from that which had been applied to it for centuries. From all, indeed, that he could learn of the history of that country, its disease lay deep, and required a radical remedy. It was in vain to hope much from the application of remedies to local complaints, or from the healing of particular boils which might occasionally break out upon such a diseased body. The whole system required examination; the blood must be thoroughly purified, and the best cure, which he could imagine for the evil complained of, would be to extend a full participation of the privileges of the British constitution to the people of Ireland, with a mitigation of the pressure of tythes, and other measures so often desired by the most enlightened observers of the real state and character of that country. This he decidedly thought a much better course, for the solid interest of the empire, and the permanent peace of Ireland, than a system of restriction and coercion, which centuries of experience had proved inapplicable to the character of the Irish people.

Mr. Courtenay supported the Bill; after which it was read a second time.

MOTION RESPECTING HALF-PAY TO SUBALTERNS.] General *Gascoyne* rose to propose an increase of half-pay to the ensigns and lieutenants in the army. The pay of the army had been originally fixed to correspond with the price of labour, but it had not increased in the same proportion. The pay of an ensign was, according to the proposal of the noble lord (Palmerston), to be 3*s.* a day, on the peace establishment, which was little more than the price of common labour; and certainly not sufficient to support him in that rank of life, in which his profession and education in general entitled him to move. It was said, that by raising the pay of the subaltern officers, it would approach too near to that of the captain. He did not think so; for the half-pay of the captain was sufficient to support him, and the lieutenant or ensign could not possibly subsist upon his. The difference was formerly half-a-crown a day, and he wished it to remain the same. The captain's half-pay would be 7*s.* by the new regulations, and he should propose to raise the lieutenant's to 4*s.* 6*d.* The hon. general concluded with moving, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased to take into consideration the state of the half-pay of the subalterns of the army, and to give directions that the same be increased."

Sir *Eyre Coote* seconded the motion, which, if agreed to, he was sure would be satisfactory to the army at large.

Lord *Palmerston* said, it was exceedingly painful to him to resist any motion like the present, but he submitted to the House, whether it was proper to bring forward subjects of this kind piece-meal. It was necessary to maintain a certain scale in the pay of the different ranks of the army, and also a certain proportion between the army and the navy. Other gentlemen might come forward with other propositions for an increase of the half-pay, and it might be thought by some, perhaps, that officers, in the higher ranks of the army, who had served longest, and were at a time of life which precluded them from entering into other professions, were most deserving of the consideration and indulgence of the House. Besides, he thought the addition of 6*d.* or 1*s.* would not, in a pecuniary point of view, answer the end proposed.

Sir *W. Stewart* considered the additional increase proposed, as a retaining fee to subaltern officers, to keep them in the army. He was afraid, that otherwise they might lose the ensigns *in toto.* He did not think the navy a parallel case to the army.

Sir *Joseph Yorke* begged to remind the last speaker, that there were midshipmen and mates in the navy, who had served eight, nine, or ten years, without the smallest prospect of emolument.

The *Chancellor of the Exchequer* spoke of the duty of economy, though that alone was not the ground of the proposed regulations. The naval and military employments emanated from the crown. It would be dangerous to discipline, if the House indulged in propositions to exceed the amount of provision proposed by government, though it might be perfectly safe to question, and to recommend a diminution. Many details required looking into, to form a judgment on this point. Considering the army, with reference to the navy, it should be recollected, that navy lieutenants were on a par with army captains; but their half-pay was to be arranged in classes from seven shillings to five. An attempt to improve one branch of the system, without reference to, and comparison with, the general system, could produce only confusion and disappointment.

Mr. *Gordon* thought, that in giving 10,000*l.* to the guards, a sum was granted for no other purpose, that he could conceive, but to increase the patronage of the commander in chief, by placing 35 commissions at his disposal. He thought that prodigality, in this respect, was full as blameable as that sort of economy, which would refuse the small sum that was now asked for the subalterns. This day an estimate had been laid before the House, amounting to 46,000*l.* for the ridiculous gew-gaws constructing in the Parks. He thought that after this, ministers came before the House with a very bad grace, in refusing this small sum. This night, he understood that 100,000*l.* would be voted for the poor clergy, and would probably not be objected to; and yet 20 or 30,000*l.* to the necessities of the subaltern officers was to be refused. He was convinced, that the population of this city would prefer a sum of money being applied for the relief of meritorious subalterns, than to its being spent in the absurd manner in which it was proposed to show their rejoicings.

Mr. *Forbes* observed, that the 15,000*l.* a year which had been given up by the Princess of Wales, would be nearly sufficient for this object. If other retrenchments were made, he was sure that it would be easy to find the means of providing, not only for this expense, but for the expense of rewarding the just claims of naval officers, who had been ten years and more in the service, without being now even entitled to half-pay.

Lord *Castlereagh* stated, that if this motion were agreed to, it would certainly open a door for many other classes of persons engaged in the public service, to come to the House with a very plausible statement, and ask for increased pay. Such increases, if extended to all the classes employed in the public service, would amount to a sum that would be a matter of serious consideration on the ground of national expenditure. He thought that this was a subject which might be safely confided to ministers, who must be supposed desirous to push the liberality of the country as far as was proper upon such occasions. This must not be considered as an insulated question, but a part of that which must be considered as a whole. It was a pretty good proof, however, that the temptations to entering into the army were not too small, as there was no want of officers, or of competition for commissions: on the contrary, the number of applicants for commissions was so great, as to produce inconvenience to the administration of the army. He entreated the House not to allow itself to be carried away too far by its feeling on the present occasion; but to rest assured, that their opinions would be conveyed through the ministers to the Prince Regent, and would be duly considered when the whole of the subject should come under review.

General *Gascoyne* did not see any reason why the claims of midshipmen and mates should not also be attended to, and considered this as no objection to his motion. He was rather surprised that the hon. admiral had not brought forward their claims directly, instead of alluding to them incidentally and comparatively. He had not appealed to the feelings of the House, but to their justice. As to the competition for commissions, there was always a competition for every thing that was given away for nothing. It might as well have been urged in opposition to all the proposed increases to salaries in the customs and excise, that there never was a want of candidates for such situations. The fact, however, was, that there was by no means the competition that there formerly was for commissions to be purchased. For some years past, almost all the ensigncies had been given away.

The House then divided; when Gen. Gascoyne's motion was lost by a majority of 32 to 28.

BUILDINGS IN THE PARKS.] Mr. *Tierney* enquired of the Chancellor of the Exchequer, what would be the whole expense of the works going on in the Parks.

The *Chancellor of the Exchequer* replied, that the different officers of the household, in their anxiety to comply with the order of the House, had immediately made their return of what had been already expended, without estimating what remained to be expended. He believed, that in the Lord Chamberlain's department, there would be a pretty considerable increase beyond the return already made. He could not speak with accuracy on the subject at present.

Mr. *Tierney* declared himself surprised at this answer; as on the two last committees that had sat upon the civil list, it seemed to be perfectly understood that no new works would be begun without a previous estimate of the expense being laid before the House. It appeared now, that great works had been begun, and were carrying on, of which the House were completely without information as to their probable expense. We saw those new works in the parks rising every day, but how high they were to get up, or how low they were to fall, or what was to be the probable expense of them, the House was completely ignorant.

Mr. *Bennet* wished to put a question to the right hon. gentleman as to a great structure that was now building in the great park of Windsor. It was a most singular piece of architecture, but very capacious, and contained a vast number of rooms, and great accommodations. He wished to know who this palace was built for, and who was to be the owner or occupier of it. He also wished to know by whose taste it had been constructed, as he should wish to prevent, as far as possible, that person from having any concern in other buildings which were at the national expense. The walls of this edifice were of stone, and the roof of thatch; and it altogether appeared to him, as expressed by a poet,

"The craz'd creation of distemper'd brains."

The *Chancellor of the Exchequer* replied, that this building was intended for the residence of the Prince Regent; and, notwithstanding there were already many royal palaces, he did not suppose that any one of them could be fitted up for the accommodation of the Prince at so small an expense as this, which was called the cottage in Windor park. As to the expense, the greater part of it had been already accounted for in the expenditure of the civil list of the last year.

Mr. *Tierney* saw in the accounts a sum of 2000*l.* for works in Windsor great park. He wished to know whether this was all that remained to be provided for on this account, as 2000*l.* was a sum which would go but a little way in thatch for this magnificent palace!

The *Chancellor of the Exchequer* said, that the returns had been made last year, but he was not sure whether all the bills had been furnished.

Lord *Castlereagh* said, that this building was for the accommodation of the Prince Regent; who, as a subject, had no house in the country to retire to within a convenient distance of town.

Mr. *Bennet* then moved for the plan and estimates of this building in Windsor park.

The *Chancellor of the Exchequer* had no objection to a return of the expense already incurred, or an estimate of the probable future expense. He saw no reason, however, for the plan being laid before the House, and therefore moved as an amendment, that that part of the motion should be omitted.

Mr. *Tierney* thought it impossible for the House to know what they were doing, unless they had the estimate as well as the plan.

The *Chancellor of the Exchequer* considered it of no importance to submit to the consideration of the House, whether this plan showed good taste or bad taste. He thought it right, however, that parliament should be informed of the expense.

Mr. *Tierney* did not wish to criticise the nature of the plan, but considered it absolutely impossible to form a judgment about the estimate of the expense, without having the plan of the building.

The amendment of the Chancellor of the Exchequer was carried by a majority of 43 to 9.

Mr. *Tierney* enquired from whom the board of works had received their instructions, prior to beginning the works in the parks.

The *Chancellor of the Exchequer* said, that it was in the Lord Chamberlain's department.

Mr. *Tierney* observed, that in the Lord Chamberlain's returns, it was expressly mentioned "exclusive of the new works carrying on in the Parks." He believed that it was now evident that those works would come to a great deal more than the 15,000*l.* which had been at first mentioned.

Sir *W. Congreve* said, that he had no reason to alter the opinion he before gave, that after deducting the value of the materials, 15,000*l.* would be sufficient to cover the expense of the preparations for the fire-works.

Mr. *Tierney* then asked, by whose directions, or by what authority, he had undertaken works to the extent of 15,000*l.*

Sir *W. Congreve* said, that he thought himself justified by precedent. In the year 1749, the board of works had, by the authority of the King's warrant, gone to considerable expense for the preparation of fire-works.

Mr. *Tierney* then asked, was there a king's warrant for this expenditure of 15,000*l.*?

Sir *W. Congreve* said, that he was not prepared to say that a warrant had been yet granted to that amount.—There had been a warrant for a part of it.

Mr. *Tierney* begged to be understood, that he did not mean to impute the slightest mismanagement or inattention to sir William Congreve, in the execution of that part of the duty which he had undertaken. All he wanted was a regular estimate of the expense, and not merely what might have been mentioned in a loose conversation from Mr. Nash to sir William Congreve.

The *Chancellor of the Exchequer* said, that there was a warrant for the sum of 5000*l.*

Mr. *Tierney* then moved for an estimate of the expense of the preparations for the fête in Hyde-park, St. James's-park, and the Green-park.—Agreed to.

Mr. *Bankes* wished to know whether the bridge over the canal in the Park, with all its ornamental superstructure, was included in the 15,000*l.*

Sir *W. Congreve* said, that it was at first included, but as the bridge was intended now to be a permanent one, he did not think it could be fairly classed among the preparations for fire-works.

Mr. *Bennet* asked, whether the large ornaments upon the bridge were to be removed, or whether they were to be permanent.

Sir *W. Congreve* said, that this would be a question of taste, and he could not say which way it would be decided.

## HOUSE OF LORDS.

### *Thursday, July* 14.

German Sufferers.] The Earl of *Liverpool* presented a Message from the Prince Regent, recommending them to concur in such additional provisions to the distressed inhabitants of Germany as should be deemed expedient.

The Message was ordered to be taken into consideration to-morrow.

Slave Trade.] Earl *Stanhope* stated, that he had an immense number of petitions to present against the revival of the Slave Trade. Several petitions were accordingly presented and laid on the table.

Lord *Holland* stated, that he also had the satisfaction of being called upon to present several petitions against the Slave Trade; one signed by upwards of 1,700 persons, and the rest numerously signed. The petitions, being from Nottingham, and a variety of other places, were laid on the table.

Lord *Grenville* presented petitions to the same effect, from Queensferry, Kelso, and Maidenhead, which were laid on the table. His lordship then stated, that he had another petition to present, to the same effect, which required rather more particular notice. It was a petition from Bristol, signed by 12,455 persons, agreed to at a numerous meeting, more unanimous, both as to the object and the means by which it was to be attained, than any other meeting in that city within the memory of man. He could not think himself justified in offering to their lordships a petition from that city, on such a subject, so agreed to, and so signed, without calling their lordship's particular attention to it. It must be recollected, that this was a city which had itself once carried on this iniquitous traffic to a considerable extent; but a city which had, to its high honour, given it up even before the abolition. It was extremely flattering to him, personally, to be the instrument of presenting this petition to their lordships, as it formed one of the best proofs of the unprecedented zeal with which the public now came forward to give its voice against this horrid and detestable traffic.—The Petition was laid on the table.

The Marquis of *Lansdowne* presented, among other petitions against the Slave Trade, one from Limerick, which was numerously signed by Quakers and others. In answer to a question from the Lord Chancellor, he said it was addressed "to the Lord's spiritual and temporal." The Irish Quakers, as well as the rest of the inhabitants of that country, were so warm in the cause, that they were not to be deterred from petitioning, by being scrupulous about the terms of address.

Helston Election Bill.] The *Lord Chancellor* said, he did not bring forward the motion which it was his intention to submit to their lordships, because he considered the matter of this Bill was not, in its nature, deserving of the serious attention of parliament, and such as called for examination and remedy. Whether the remedy in the Bill before their lordships was proper or not, there could be little doubt that the mischief was not of a nature which called for the attention of parliament. However, they ought to take care that they proceeded on such evidence as authorised them to legislate upon. It was impossible, without oppression, to obtain all the evidence wanted, before this Bill could be passed, during the present sessions. Were they to receive any part of the evidence this session, that evidence could not be received in another session, on a Bill differing in its contents from the present. He, therefore, thought it inexpedient to proceed farther with the Bill at present; and he should move, That it be read a second time this day two months.

Lord *Grenville* thought the ground assigned by the noble and learned lord very satisfactory. He had no difficulty in expressing himself very friendly to the principle of Bills like the present, when a sufficient ground was laid for the measure. He trusted the House would go into an examination of evidence early in the next session. He would have been anxious to have examined some of the evidence this session, but for the reason stated by the noble and learned lord.

The motion was then put, and carried.

## HOUSE OF COMMONS.

*Thursday, July 14.*

Prince Regent's Message respecting the German Sufferers.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:

"The Prince Regent, acting in the name and on the behalf of his Majesty, having taken into his serious consideration the accounts which he has received of the severe distresses to which the inhabitants of a part of Germany have been exposed in their persons and property, in consequence of the operations of the war, and of the wanton and atrocious devastations committed by the forces acting under the orders of the late ruler of France, recommends to the House of Commons to enable his Royal Highness, in aid of the voluntary contributions which have been already furnished by his Majesty's subjects for this purpose, to afford to the suffering people of Germany such additional relief as may be suitable to this most interesting occasion. George, *P. R.*"

Ordered to be referred to the Committee of Supply.

Princess of Wales's Annuity Bill.] Lord Castlereagh moved the order of the day for the second reading of the Princess of Wales's Annuity Bill. The order of the day being read,

Mr. *Tierney* said, that he felt it necessary to trouble the House with a few observations upon this measure; but he begged to premise his remarks by stating, that in offering them he did not act either with the knowledge of the Princess of Wales, or after consulting with any of the gentlemen who had been accustomed to advise her Royal Highness. His observations proceeded entirely from his own view of the subject. He was much surprised at the enactments of the Bill before the House: the preamble stated, that it was to enable his Majesty to settle an annuity upon the Princess of Wales: in framing it, the noble lord was authorised to go no further than he was warranted by the terms of the resolution of the House, augmenting the income of the Princess of Wales; but the whole of this measure, two clauses excepted, related entirely to transactions of the year 1809, regarding the arrangement then made between the Prince and Princess of Wales. What relation they had to the present Bill he could not understand. The Bill, among other things, recited, that the Prince Regent was not in future to be liable to any of the debts of the Princess of Wales. Whether a provision declaring "that his Royal Highness was under no legal obligation to pay those debts," was sound law, he was not competent to decide, but it did seem as if the greater part of the Bill had been devised, in order to prevent any liability on the part of the Prince Regent. The main objection he had to it, was, that the Bill dealt most unfairly by her Royal Highness, and perverted to the most invidious purposes the arrangement of 1809. One of the papers brought down by the noble lord, purported to be an agreement between the Prince and Princess of Wales. It appeared that, in 1809, the creditors of the Princess of Wales represented to Mr. Perceval and the duke of Portland, that her Royal Highness was indebted to them in the sum of 49,000*l.* which circumstance Mr. Perceval stated to the Prince Regent, who took upon himself the payment of that sum. In order, however, to guard himself against future demands, he proposed to obtain the sanction of an act of parliament, or of an order in council to the same effect. Of the last, he was informed, that it was not customary to make such a use; and to the first, it was not then convenient to resort, since it was not deemed expedient to come to parliament at that time. The House would bear this circumstance in mind, because it was the duty of the noble lord to shew why it was now more expedient and fit to resort to parliament, than at the former period. What he contended, was, that nothing new had occurred to justify such a proceeding. Since the Prince Regent could be provided with neither of these safe-guards, a paper was signed by the parties, which augmented the income of the Princess of Wales 5,000*l.* and was deemed, under the sanction of his Majesty, adequate to the purpose, which was given in another document, laid upon the table. He then read to the House an extract from this last document, stating that such a guarantee was extremely reasonable, and providing, that if the Princess of Wales should again be found to have incurred debts, application should be immediately made to parliament, praying that an Act might be passed to indemnify the Prince Regent from the payment of those debts. Now, he would ask what had happened since 1809, that could subject the Princess to the provisions of the present Bill? No application, it appeared, was to have been made to parliament for any enactment to secure the Prince of Wales from debts contracted by the Princess, unless she exceeded the income settled on her, or contracted debts which she had refused to discharge. Had this happened? So far from it, the Princess of Wales had discharged, out of her income, a debt of 3,600*l.* due at the time of the agreement. And was it not hard, that, at the time when the House was professing to do an act of liberality, they should mislead the country into a belief, that they were obliged to provide some security for the Prince of Wales against the debts of the Princess, because her word or signature was not sufficient? And this while, instead of asking for money, the Princess had been the first of the Royal Family who had refused money! The noble lord seemed to treat this matter with great levity; but the paper, which was before the House, was drawn up only because his Majesty would not consent to bring the Princess before parliament in 1809; while now she was brought before parliament as a person who had violated her word. He had thus stated his opinion on the second reading, with the intention to go further into the subject in the Committee. What he at present wished to ask of the noble lord was, Did he say that the Princess of Wales had departed from the agreement of 1809? Did he bring her before parliament as a person who had exceeded her income? If, on this head, the noble lord could give him satisfaction,—if the noble lord could prove that the Princess had ever exceeded her income since the agreement of 1809,—he should give him no further trouble.

Lord *Castlereagh* said, that he had, on a former night, distinctly disclaimed any belief that the Princess had incurred any debts; and, on that account, he had not thought it necessary to put her Royal Highness's proposed income under the regulations to which the income of some other branches of the royal family had been placed. It was for reasons, perfectly distinct, that he had proposed the Bill as it stood. It was said, that the title covered nothing but a grant of money to the Princess, and that the resolutions of the committee went only to this extent. But he contended, that it was naturally open to parliament, in granting any money, to accompany it with any regulations which they might think fit. As to the title merely, it would be open to the right hon. gentleman in the committee to propose an amendment. It had been said, that the papers, which had been laid before the House, had nothing to do with the grant to the Princess. He apprehended, that they had most materially to do with the grant; for it would have been a reasonable ground of complaint, if the House had not been informed of the incompetency of the Princess's income, before any addition to it was proposed. It was also most proper, on account of the other provisions in the Bill, to know what income the Princess derived from the Prince of Wales. As to the agreement of 1809, the only motive why it had not, at that time, been thought fit to come to parliament (though a parliamentary enactment, even then, was thought the only measure which would be perfectly satisfactory), was, that it was deemed most expedient, if it could be avoided, that the concerns of the royal family should not at all be entered into by parliament. And as the Prince of Wales, at that time, had found means to pay the debts contracted by the Princess, and to increase her income, an application of the kind was unnecessary. The right hon. gentleman had said, that the paper stated, that the Prince of Wales was not liable to the debts of the Princess. As a general principle, the contrary was stated in the papers; but, for the debts to the amount of 49,000*l.* at that time owing by the Princess, it was true, that he was not liable, because the creditors had not complied with the regulations of the act of parliament respecting the Prince's revenue. But as the Prince was prospectively liable, it was then thought proper that he should be secured against any fresh debts. But, it was said by the right hon. gentleman, why make a provision of that kind at present, but to throw a reflection on the Princess? The obvious answer was, that by the Bill before the House a total change was effected in the Princess of Wales's income. The income of the Princess, or any part of it, was not now at the discretion of the Prince Regent; but it had been thought proper to give the whole income out of the consolidated fund, and to take from the Prince the 22,000*l.* a year which he was in the habit of paying to the Princess. At present, therefore, the state of the case was very different from that in which it stood under the agreement between the parties. For, at that time, though the creditors of the Princess might have made their claims legal debts of the Prince, by complying with the regulations of the act of parliament, yet, not only might the Prince have secured himself prospectively by an application to parliament, but he had in his power the 22,000*l.* a year, from whence he could deduct the debts contracted by the Princess, for which he was made liable. As the Bill before the House took from the Prince all dominion over the Princess's revenue, it was but just that the Princess should not be enabled to make any claim on that of his Royal Highness. Such an enactment, which was only that which the natural justice of the case between the parties required, conveyed no imputation on the Princess. For it would be to invert the order of nature, to make his Royal Highness dependent on the Princess while there was no dependence on her part. The right hon. gentleman might have known, though not admitted to that intimacy with her Royal Highness to which some other members were, that the Princess felt no such apprehensions on this subject as the right hon. gentleman entertained for her. In that letter to him (lord Castlereagh), in which she had not, as he thought, shewn that repugnance to accept the public money which the right hon. gentleman had mentioned—which repugnance did not, in fact exist, until her advisers had created it—in that letter, she stated that there was nothing in the proposed measure inconsistent with her rights, her rank, and her honour. He hoped this would relieve the right hon. gentleman from the fears which he entertained.

Mr. *Tierney* said, that the noble lord had not convinced him; and as he had not convinced the noble lord, he should not make another attempt at that time. As to the letter of the Princess of Wales, it was only an answer to a proposition of an addition of 28,000*l.* a year to her income. She had then said, that she saw nothing in the proposition derogatory to her rank or character; indeed, it would have been a wonder if she had. He should feel it his duty, in the committee, to propose some clause, to explain, that it was not understood that the Princess had exceeded her income, if he could not, as he should endeavour to do, reduce the Bill to a simple grant of money.

Lord *Castlereagh* explained, that it was in the Answer of the Princess of Wales to his second communication which contained a draft of the Bill, that she had used the expressions he had mentioned.

The Bill was then read a second time, and ordered to be committed to-morrow.

## HOUSE OF LORDS.

*Thursday, July 14.*

German Sufferers.] The order being read for taking the Prince Regent's Message of yesterday, upon this subject, into consideration, his Royal Highness's Message was read by the clerk; when

The Earl of *Liverpool* rose to call their lordships' attention to the subject. He adverted, in the first instance, to the subscription set on foot towards the close of autumn, last year, for the relief of the suffering Germans, by a number of benevolent individuals. It was hoped, that the sums raised by that mode would be found sufficient, not perhaps absolutely to answer the desired purpose, but to preclude the necessity of any appeal to the generous feeling and liberality of the British parliament. The sum raised on the occasion, to which he referred, was about 100,000*l.* and reflected the highest credit on the humanity and benevolence of the contributors. The distribution of it had been principally confined to certain districts—the vicinity of Dresden. He had seen a calculation, by which, in sixty-three villages round that capital, through the devastating operations in October last, it appeared that upwards of half a million sterling of property had been destroyed. He was certain that it was impossible to mention these circumstances without rousing the sympathetic and compasionate feelings of their lordships. Taking the severe distresses and losses of these unfortunate people into his serious consideration, the Prince Regent was induced to propose, that a sum should be furnished, to be distributed on a scale and principle similar to that which was adopted on two former occasions. It would not be necessary to specify in the address, the sum which it was proposed to vote; but the intended amount was 100,000*l.* Were there no other, he was willing to rest the question upon this consideration alone. That part of Europe had been, with very little interval, engaged in a state of desolating and destructive warfare for the last twenty years; and the circumstance, of peculiar good fortune to this country was, that, from its insular situation, it enjoyed advantages, which precluded it from suffering those losses, and inflictions to which the continental nations were exposed. It was owing to the blessing and protection of Providence, that this country had not, for the shortest interval, been made the theatre of war; a distinction which rendered the difference between countries, embarked in one common warfare, as great, as that between a country actually engaged in war, and one in a state of perfect peace. The proposed grant was meant to be confided exclusively to the relief of the people of those countries who had suffered the most directly all the cruelties, all the horrors, all the miseries inflicted by the immediate and actual operations of war. He was satisfied, that to say thus much was sufficient in the way of appeal to the benevolent and generous feelings of the House, which he was confident, though it could not effectuate all the good that might be wished, would shew itself disposed to do all that could be effected. The noble earl concluded, by moving an Address to the Prince Regent, assuring his Royal Highness of the cheerful concurrence of the House, in such measures as may be necessary to enable him to carry into effect the benevolent object of his most gracious Message. On the question, being put,

Lord *Holland* said, he felt it to be a most ungracious duty to resist an appeal to their lordship's generosity; but he was compelled, notwithstanding that circumstance, by his sense of public duty, to enter his protest against this lavish expenditure of the public money. It was true, that similar grants had been made on two occasions in the course of the present war; one to Portugal, where the people had suffered, by a well conducted retreat of our army, having driven their property before them, to prevent its falling into the hands of the enemy; another to the people of Moscow, on occasion of the burning of that capital. In the case of Portugal, considering all the circumstances, there existed strong grounds for such a grant, which was little more than an act of justice. In the case of Moscow, he had rather acquiesced in than approved of the grant; and he had acquiesced, not from any opinion that the grant could do much good, but because, when such grant was once proposed, it was better to agree to it than to refuse, in order to shew every disposition to make common cause with Russia, which was then an object of great importance. The grant of the Portuguese was made in the spirit of justice and sound policy. The grant to the people of Russia might be founded in policy. But here they were called upon at the close of the war, without any examination, to vote away this sum of money at a time when the people of this country were suffering severely from the effects of the war, and when there was no appearance of their burthens being, immediately at least, very much diminished. He was well aware of the calamities which must be endured by the people of those countries which had been more peculiarly the theatre of war: but these calamities were not of a nature to be relieved by money, and therefore this was imposing an additional burthen on this country, without doing much good to those places where the bounty was to be distributed. The voluntary subscription, he admitted, did high honour to those who had subscribed; but when they came to be charitable in the way of parliamentary grants, it was incumbent upon them, in the first place, to look at home, and see whether sufficient objects of their charity might not be found in this country. The people of this country had suffered most severely by the war; and, to be convinced of it, they had only to look at the state of their gaols, and at the lists of bankrupts. They might there find sufficient matter to shew the impropriety of this lavish and wanton expenditure of the public money, as if parliament had nothing to do but to sanction these grants without examination. He did not wish to treat this subject with any degree of asperity, but even the time when the grant was proposed, rendered it liable to considerable suspicion. These miseries had been suffered twelve months ago, and why had the proposal been postponed till this late period of the session, when the attendance was usually so small? With full as strong a disposition as any one could feel to commiserate the calamities of the suffering Germans, he did not think that every part of the continent of Europe, which had suffered directly from the calamities of war, was entitled to demand relief out of the purse of this nation.—We ought first to look at home. To come to parliament, with so little ceremony for money, did appear to him not exactly a proper mode of proceeding; and, however ungracious the duty might be, he felt himself compelled to give this address a decided negative.

Lord *Boringdon* was of opinion, the former grant, in the case of Moscow, had effected much more than an expression of that country's feeling. With respect to the present grant, according to the calculation of the noble earl, the loss of property, in the villages near Dresden was about half a million. There had been nearly 100,000*l.* voluntarily subscribed; therefore, with the present grant, about two fifths of the whole local loss would be procured. The measure, he thought, would produce a very beneficial and lasting impression on the minds of those towards whose relief it was directed.

Lord *Holland*, in the course of a short explanation, observed, that in the circumstances in which this country stood with Russia, at the time of the grant to the suffering people of that country, it might be regarded as a measure of policy, as well as of benevolence. The treaty between the two countries was not then signed; and to have acted differently, might be regarded as a kind of unwillingness to make common cause with her.

The Earl of *Lauderdale* concurred in the observations of his noble friend. We ought first to examine the state of our own people, and not extend that charity abroad, which was due to our distresses at home. They had the evidence upon their table (such was the distress in Spital-fields,) that an overseer, on his oath, had stated, that many died through absolute want. In the present instance, there was no evidence before them, but in the one he had just alluded to; though they possessed indisputable testimony of the fact, it was never thought necessary to make a proposition to parliament in aid of such distress, occasioned by the war among ourselves.

Viscount *Sidmouth* had heard, with astonishment, the observations of the noble lords, knowing, as he did, that the exertions of the public spirit, had never, on any former occasion, in the history of this country, been accompanied with such extensive benevolence. The number of charitable institutions had increased, during the war, beyond all former example; and the sums which had been distributed in charity were unprecedented. It was also to be considered, that the policy of the law of this country had provided a security against the extremity of want, which was not to be found in any other country. He admitted, that the circumstances were different from those under which the Portuguese and Moscow grants had been made; but, in those cases, much good had been done by the bounty of this country. The devastations in Portugal had not been occasioned by the British, but by the French, whose course was like that of Attilla, like a horde of barbarians, anxious to destroy where they could not conquer. He was convinced, that the present grant would do good. It was, besides, a grant which might be justified in sound policy, on account of the impression which it would create with respect to this country; and he had no doubt, but it would meet with the hearty concurrence of every part of the nation.

Lord *Holland* thought it would be proper to know, what security they had, that the sum would be faithfully applied to the purpose for which it was voted?

The Earl of *Liverpool* answered, that it was to be distributed in the same mode as the sums raised by voluntary subscriptions. He had in his hand an account of the manner in which the greater part of it had been distributed. About 35,000*l.* had been distributed in the places about Leipsic; and about 15,000*l.* at Hamburgh. It had been intended, at one time, to move the allied force on Hamburgh; that intention was abandoned; and the favourable result of the campaign had been, in a great measure, owing to that abandonment. Hamburgh, however, had suffered dreadfully in consequence, and no one could regret the aid afforded to the people of that city.

The Archbishop of *Canterbury* said, he had heard, with great pain, the statement of the noble lord, with respect to Spital-fields. He supposed the noble lord had heard of an institution which had been set on foot for the relief of the labouring part of the community, and which had afforded great relief to the poor of Spital-fields. Its benefits had, besides, extended over the whole of the country; and all the sums, which had been collected, had been most carefully applied. As to the present grant, it was hardly possible, that any Briton who had, during the war, remained safe at home, amidst the calamities, which had spread over the continent, to contemplate the miseries endured by other countries, without feeling thankful to Providence for the protection afforded to this nation; and without the most anxious desire to relieve the distresses of his fellow-creatures whose lot had fallen in less favourable situations. He was sure the noble earl himself, if he were satisfied that we were not neglecting our own poor, would most willingly agree to this Address. Now, his opinion was, that our poor had been most carefully attended to; and that they had, by no means, suffered so much distress as the poor in those parts of the continent, which had been the theatre of war; who, be it remembered, had suffered in a cause, from the favourable result of which we now derived so many advantages. As to the distribution of the money collected by voluntary subscriptions, every thing had been done which man could do to prevent fraud, as he could well testify, having had a considerable share in the management himself. The noble lords might, therefore, make themselves easy on that point.

The Earl of *Lauderdale* considered it highly laudable and beneficial, that men, in so exalted and dignified station, should come forward as the most reverend prelate had done; but could not avoid entertaining his objection to the distribution of the money through the hands of men who could not, by any possibility, be made responsible.

The Address was then agreed to.

## HOUSE OF COMMONS.

### *Monday, July 14.*

Petition of Mr. Valpy, respecting Copy-Right Bill.] Sir Egerton Brydges presented a Petition from Mr. Abraham John Valpy, of Tooke's-court, Chancery-lane, London, printer, setting forth,

"That the petitioner has, for some time past, been engaged in collecting subscribers' names, to enable him to print a new and improved edition of Stephens's Greek Thesaurus; that he has nearly obtained the necessary number of subscribers, to cover the expenses of the undertaking, which will amount to upwards of 18,000*l.*; and in consequence of the names so collected, he has considered himself able to go to press, in a very short period, with the first number; but the petitioner humbly begs to represent his fears, that if the Bill, now in progress through the House, passes into a law, by which he may be obliged to give eleven copies of the work to the universities, &c. he must be under the necessity of delaying the publication till such time as he can collect a sufficient number of extra names to cover the loss of 290*l.*, which the gift of the said eleven copies would create to him, or he may be obliged entirely to abandon the project, which would occasion him a very serious loss; and praying, that, as from the great expense of printing such a work, no one peron or persons can steal or pirate the copy-right, a clause may be inserted to exempt the present, and all similar undertakings from the burden of being obliged to deliver copies to the public libraries on their demand.

Alien Act Repeal Bill.] On the motion for the second reading of the Bill,

Mr. *Hiley Addington* stated himself to be anxious to explain the nature of this Bill. He described it as being nothing more than a renewal of the Act of 1802. It did not give ministers greater power than they were entrusted with by that Act. Whether those powers were originally too great, it was for the House to decide. For his own part, considering all circumstances, he had never been of opinion, that that Act went too far.—No abuse of it had, in any one case, been proved. The present Bill, he admitted to be, in some respects, imperfect; but he hoped there would be no objection to pass it for the present, as the period of its operation was limited to one year.

Mr. *Abercrombie* said, the only part of the right hon. gentleman's speech, which was to him satisfactory, was that in which he stated the operations of this Bill would be confined to one year. That did away much of what he had thought objectionable in the Bill, though he could never bring himself to think we ought to have an Alien Act in force, but against the subjects of a country with whom we were actually at war. An Alien Act was first framed, from the peculiar nature of the war, and afterwards kept up from the peculiar character of the peace. If Europe had gained any thing by the late war—if the present peace were a good one, we ought to be enabled to do without such a law. The right hon. gentleman had said, the Act had not been proved to have been abused in any one case. This was not very extraordinary, when the proof offered to be given, had never been received. In some cases, he believed individuals, had, by means of this Act, been treated with unmerited severity.

Mr. *P. Moore* did not see that any sort of ground had been offered for continuing this Act in force; and feared it may give rise to the same complaints that were made against it in 1802. The French at that time complained of the Alien Act, as a removal of confidence, and as a proof that this country was not seriously disposed to peace. Its operation at present would be much worse; and tend, he feared, to prolong jealousy between the two countries.

Mr. *Whitbread* could not vote for the Bill on the slender grounds laid. He should be glad to know against whom the measure was directed? Was it against Americans, or against Spaniards, French, or Germans? One of the grounds of war with America, was, that we stole and kidnapped her subjects, and brought them into this country. Where were the persons to whom the Bill would apply? Who now were infected with this leven of Jacobinism? Was it meant to be said that ministers were now afraid of revolutionary emissaries from France? By whom was the right hon. gentleman terrified, whom he wished to send out of the country? As to no mal-practice having been proved under this Bill, the fact was, that ministers would never go to trial: it was negatively established, however, even in the case of De Berenger, that the Alien Act had been misapplied and abused. After peace had been signed with all the Eastern world, we were told that some measure of this kind was necessary. Another reason for objecting to this Bill, was, the imperfect state in which it was brought before the House.

Mr. *Bathurst* said, the hon. gentleman had fallen into a misapprehension as to the grounds on which the Bill was brought in. It was not from apprehension or suspicion of any foreign power; these had nothing to do with the question, which was simply this—whether it was proper that the aliens now in this countrry should be subject to no regulation whatever while they remained here. This Bill was but a transcript of the former Act, and gave no power to apprehend an alien which was not to be exercised by a proclamation, an order in council, or a warrant under the sign manual. The alien, when apprehended, could not be sent out of the country immediately, against his will. If disposed to do so, he might appeal to the privy council.

Lord *A. Hamilton* objected to the Bill. He did not see any good that could arise from it at the present time. It was not true that, by this Act, the Secretary of State could not arrest an alien. The Bill expressly gave to the Secretary such a power.

Mr. *Bathurst* explained. The Bill would give no power of arrest to the Secretary of State, until after the order in council was issued for the apprehension of an alien.

Mr. *Horner* said, that it was not enough to urge in support of any measure, that it was a transcript of some former act of parliament. There had been many suspensions of the Habeas Corpus Act, each of which was the transcript of some other; but such a measure would at any time be very ill received, without some statement of the necessity of taking from his Majesty's subjects their constitutional protection. The Bill before the House was a measure analagous to the suspension of the Habeas Corpus, for it took from the aliens, in amity with his Majesty, that protection which it was the boast of our constitution to afford them. The question then returned to the necessity of the case, and he should assume, that none such existed, because it had even been alleged, that the present state of things was not in any degree extraordinary. The policy of the first Act on this subject, was, to prevent the influx of dangerous foreign political principles. In the feverish time which followed the last war, the same danger was apprehended to exist. Could it be said, that any trace of the circumstances of those times existed at present? Indeed, at present, there was a greater fear of an influx of those which were thought the dangerous principles of France in a former period of our constitution, the principles of arbitrary government. These principles, however, it was fortunate, were not of a nature to inflame the people in their favour. As there had been stated no ground of necessity for the measure, it should have his decided opposition; and not the less for one of the reasons stated in support of it by the right hon. gentleman opposite to him, that a power, similar to that given to the government by this Bill, was possessed by all the other governments of Europe. All these sovereigns possessed the same arbitrary power over their own subjects, yet it would not be contended, that, in this respect, we should assimilate our institutions to theirs.

Lord *Castlereagh* could not at once dispense with all those precautionary measures which had so long been thought necessary. He differed with those who were disposed to go to the extreme jump, from imminent danger to such perfect security, that no precautionary regulations were longer desirable. He rather apprehended, that in politics, as in most of the transactions of common life, a middle course was the best to pursue. The political world, like the domestic, did not so quickly right itself, that they ought at once to give themselves up to that perfect confidence which represented all measures of precaution to be useless. These, he thought, ought to be still to a certain degree kept up, though somewhat in a shape of mitigated severity.

Lord *J. Russell* considered the act to be one which was very liable to abuse. The present time was that which least called for it; and ministers, in bringing the measure forward now, because it had been thought necessary before, reminded him of the unfortunate wag mentioned in Joe Miller, who was so fond of rehearsing a piece of wit, that he always repeated it at the wrong time.

The House divided: For the second reading, 92—Against it, 28: Majority for the second reading, 69. The Bill was then read a second time.

GERMAN SUFFERERS.] After moving the order of the day for the committee of supply, and that the Prince Regent's Message relative to the German Sufferers, the Civil List accounts, and the Miscellaneous accounts, should be referred to the Committee, and the House having accordingly resolved itself into a Committee,

The *Chancellor of the Exchequer* observed, that, among the various circumstances which had adorned the British character, and raised the British name, of late years, none was more distinguished, than the liberality which this nation had shown towards the sufferers of other countries. Most of our allies, in their turns, had been the objects of this liberality. We had extended relief to the Portuguese; who, in the just and necessary defence of their country, had themselves contributed to its desolation. We had extended our bounty to the Russians, whose capital had been consumed in the flame, kindled in the desperate and patriotic struggle for the independence of their country. But, among those to whom the support of parliament had been extended, there were none who had a better claim to their liberality than those to whom, in obedience to the Prince Regent's commands, he was about to call the attention of the committee: whether we should consider the unprecedented ravages of the war, or the merits of patriotism of those who had suffered from them. Among these sufferers were our fellow-subjects in Hanover; the unfortunate inhabitants of Hamburgh, who, by a premature, but most gallant declaration of their zeal in the general cause of Europe, had subjected themselves, before effectual assistance could be given them, to the unrelenting vengeance of the late ruler of France; the brave Silesians, the countrymen and companions in arms of the gallant Blucher; the unfortunate inhabitants of Saxony, who, in the unexampled battle of Leipsic, saw their country laid waste for thirty leagues round that city. The extent of the waste committed, defied all comparison with former wars. The immense force, and incredible efforts exerted on the one side, could only be overpowered by superior force, and yet more strenuous exertion on the other. The magnitude of the contending armies was beyond all example: at the battle of Leipsic, not less than 700,000 men had contended in arms, and these immense bodies had moved without the provision of regular magazines, and with a rapidity unknown in former wars, from the Volga to the Rhine. The vast extent of country, embraced in these operations, had rendered the ordinary provision of supplies impracticable, and extended devastation to the remotest corners. In former times, when the theatre of war had been more narrow, and the contending armies of more limited magnitude, it had often happened, that a country had been rather enriched than impoverished, by becoming the theatre of war; but, in the late conflict, no regulations could be adopted for payment; the contending forces, the deliverers as well as the oppressors, lived upon the country.—All was extortion, rapacity, violence, and devastation. There had been a waste of lives, and a ravage of property altogether unexampled. The contribution, which he was about to propose, for the relief of such extensive distress, was undoubtedly large, being a sum of 100,000*l.* But, he had the satisfaction of stating, that, however large it might appear, the spontaneous liberality of individuals had already exceeded the sum, which he now called upon the public in its collective capacity, through its representatives in parliament, to grant. Far, indeed, would this sum be from a compensation for the losses sustained; for the accounts collected by the Committee for the relief of the sufferers, and which he held in his hand, would show how small a proportion the sum which he had proposed bore to the amount of those losses. Without troubling the Committee with the detail of those accounts, he would only state, by way of example, that, from the sum raised by subscription, it had only been possible to grant 7,000 dollars, in an instance in which the extent of loss was actually proved to have amounted to 700,000 dollars. The committee must not, however, conclude, that this relief, however inconsiderable, in proportion to the loss, was wholly inadequate to its purpose. It would preserve the sufferer from sinking under despondency and despair. It would console him with the reflection, that his sufferings were not forgotten; it would, as had appeared in the account lately laid before the House, of the Portuguese sufferers, afford the means of reanimating his industry, and supply the most immediate and pressing of his wants. He concluded, by proposing, "That a sum, not exceeding 100,000*l.* be granted to his Majesty, to enable his Majesty to afford relief to the inhabitants of such parts of Germany as have suffered in their persons and property, in consequence of the operations of the late war, and of the wanton devastations committed by the forces acting under the orders of the late ruler of France; and that the said sum be issued and paid to the committee appointed in London, for the relief of the sufferers in Germany, without any fee or other deduction whatsoever."

Mr. *Bankes* expressed his approbation of the grant in the strongest terms. He hoped it would be distributed in the same manner as the grant in Portugal had been. The way in which that grant had been applied, encouraged a hope that this would be productive of results equally gratifying, as that which was bestowed by the liberality of parliament for the relief of the Portuguese sufferers, in 1811. That grant, munificently voted, had been so providently applied, and accounted for with such precision and exactness, that the smallest sum, and the purpose for which it was appropriated, was as fairly and as clearly stated as it would have been in any merchant's accounts. Those who had been employed in the distribution of it, and who had disinterestedly refused to accept of any remuneration for their trouble, were entitled to the thanks of parliament. One gentleman of our own country, who had been attached to the legation in Portugal, Mr. Croft, the writer of the memoir before the House, had, by his humane exertions in the cause, done himself infinite honour. From the memoir in question, it appeared, that he had been the means of communicating blessings to the sufferers, which they could not possibly have received, but through the vote of that House. It had caused the hopes of the country to revive: the good effects of it were every where apparent, and he wished they might recieve as good an account of the 200,000*l.* voted for the Russian sufferers, in 1812. In a day of glory and of happiness, like the present, they ought to prove themselves anxious to succour, and to save every one who appeared entitled to such assistance.

Mr. *Gordon* was astonished that, after the Chancellor of the Exchequer had so lately objected to granting a small sum of money to increase the allowance of a class of men who had so gallantly served their country, he should now propose a vote of 100,000*l.* for the relief of foreigners. This was one of the greatest inconsistencies of which the present administration had been guilty. He concluded by expressing his intention to oppose the grant.

Mr. *Rose* was surprised that gentlemen should disapprove of a measure, which had the hearts and minds of the public in its favour. He thought that it was necessary parliament should manifest its feelings as well as individuals.

Mr. *Wilberforce*, though he would not vote against the proposed increase of officers' half-pay the other day, yet he could not give it his support, because he thought it unconstitutional for parliament to augment the pay of the army. But he did not think this grant could be denied to poor individuals, who were not only not in the situation of those officers, but who were reduced to the greatest distress and the deepest ruin. He concurred in the praises on the conduct of the gentlemen commissioned to distribute the Portuguese grant. They had explored every part of the invaded country; they had sought every haunt of misery, yielding relief, and receiving blessings; and the report, which they had made of their proceedings, was the most able, clear, and satisfactory. The assistance given in that kingdom, was substantial, and such, he trusted, that now proposed, would prove. He did not wish it to be granted merely for the credit of the country, but for the actual relief of the sufferers. England had derived advantages from those hostilities which had ravaged the continent. Was it too much to expect, that she should endeavour to alleviate the distress of the sufferers? not indeed to repair it entirely, for that was not in her power; and the only doubt he had in his mind on the subject, was, whether she would be able to produce any considerable good. Hundreds of thousands, and millions even, would scarcely suffice to eradicate the traces of devastation. But it would be her chief honour and glory to be permitted to afford relief consonant with her ability to suffering nations.

Mr. Alderman *C. Smith* was in favour of the measure.

Mr. *Whitbread* was of opinion, that this money ought not to be granted. It was not through insensibility to the sufferings of others that he opposed this vote, but for the same reasons which had led him to object to the Portuguese grant; because he thought we should be acting inefficaciously towards the distressed abroad, and unjustly towards those at home. He contended, that his hon. friends had not refused to agree to the present measure, because the proposal for an increase of military half-pay had been rejected the other day, but out of regard for the finances of the country; and because he thought, that we ought to be just before we were generous. The ground on which the Chancellor of the Exchequer had resisted the motion in behalf of reduced officers, was the state of the finances. But when there were so many thousands to be relieved in this country, and we were told we could not step forth to their assistance, through the deficient situation of our treasury, was it consistent, a few hours afterwards, to propose a far more considerable grant of money to aid total strangers? He knew that the ravages of war had extended all over Europe; that in Portugal they had been carried to their utmost extent, and had opposed the vote of the sum granted to that country, because it could not be so applied with justice or with effect. The conduct of the commissioners, who had distributed that gift, had been mentioned in terms of praise; he had no doubt but they had acted with prudence and with judgment, and had attracted blessings on their heads and on their country; but notwithstanding all their exertions, he really believed the chief object of the House, even in that instance, had not been accomplished, and that general relief had not been obtained. It had been, he feared, the same in Germany. The subjects of those countries, besides, had to look up to their own sovereigns, who had now reascended their thrones: and were not those of England to look up to their own government for relief? It was easy to talk of our overflowing abundance and resources; but must the right hon. the Chancellor of the Exchequer not know that those resources were finite? That after such heavy taxation, as the people had borne, the day o reckoning would come, which would be a heavy one for the subjects of this country. If the question were put to the officers, to assist the distressed of other countries, they certainly would not refuse, but they would not think it less hard, that they should not have been considered themselves by the justice of parliament. As to private contributions, he had heard that in proportion as great efforts were made for sufferers abroad, institutions at home languished. It was well known that people in this country contributed to their utmost to charitable purposes, but as their means were not inexhaustible, when they had disposed of their money one way, they could not apply it to its usual ends. In this manner much harm might be done to the subjects of this realm, who were objects, not of parliamentary liberality, but of parliamentary justice. He deprecated any uncharitable motive in his resistance to the present motion, which he should oppose on the ground of principle, but certainly not of feeling.

Lord *Castlereagh* thought, that as parliament was anticipated in the most marked manner by public feeling in this measure, it could neither be untimely nor unjust; for public feeling would not take such an unanimous and decided course towards a wrong object. The question for parliament was, to compare the urgency of the demands at home and abroad. It was not the interest of this country alone which should be considered, but that of humanity and the world at large. Nothing would establish our character so firmly as acting on the elevated principle of doing good to mankind. It was not only the relief yielded to individuals that was of importance, but the moral excitement given to all. If it did not entirely repair the evils caused by the devastations of war, it encouraged the unfortunate sufferers, and shewed them how to make the first effort necessary to emerge from their situation. Without such a stimulus, it was astonishing in what a state of depression and despair they would remain. No one, who had not visited the countries through which the devastations of war had rolled, could conceive how completely the very first ingredients that contributed to the relief and support of man were exhausted. Besides the propriety of the grant, it ought also to be considered that it was merely a temporary measure, and added no yearly burthen to the country.

Mr. *Forbes,* though he would not oppose the vote, thought that no injustice should be done to the servants of the country who were about to be discharged from the service. It was said, that the grant did not produce any annual burthen, whilst the application for an increase of half-pay would have entailed an expense of at least 20,000*l.* a year on the people. Now, if the different charitable gifts, bestowed on foreign nations, were collected, and the interest of the money cast up, it would be found that the country, had in fact, lost an annual revenue equal to the additional expenditure proposed. The first grant was to Portugal, and amounted to 100,000*l.*; annual interest, 5,000*l.* The next to Russia, 200,000*l*; annual interest, 10,000*l.* The present grant to Germany, 10,000*l.* would also have produced 5,000*l.* a year; so that the annual loss of interest on these three gifts would equal the whole amount proposed to increase the comforts and respectability of reduced officers. As to the sum raised by voluntary subscriptions for the Russians, it appeared that, together with the parliamentary grant, it had exceeded the wants of the country for which it was intended. He had received 4,000*l.* in subscriptions from Bombay; and had made an application to the Committee for the Russian subscription, in order that they should receive the money, but had not yet been able to effect that purpose. It was evident, therefore, that there was no further demand on that fund, and he thought it might be made over to swell that intended to relieve the Germans.

Lord *Castlereagh* assured the House, that they would in due time receive a Report of the distribution of the Russian grant, as satisfactory as that which had accounted for the application of the vote to Portugal. He hoped, that the difficulties which his hon. friend had experienced in endeavouring to dispose of the money received from India, in the manner intended by its givers, would not induce parliament to think that there had been any neglect in the management of that business. It was a strong trait of the interest which the sufferings of the Russian people had excited, that not only Europe, but India should have subscribed for their relief.

Mr. *Tierney* said, he could easily find deserving persons at home to receive the money which the hon. gentleman was thus prevented from sending abroad. Before he consented to the grant, he would be glad to know how matters stood with the powers whose subjects we assisted, and how far they were able to relieve their own people. The sum voted by the House had not been received with gratitude in Russia [a sign of dissent from lord Castlereagh]. The noble lord always shook his head, when he heard of people refusing to take money. It was extraordinary that the present grant of 100,000*l.* should be intended to raise and establish the character of the country. After her conduct during the late wars, after bleeding at every pore and exhausting her wealth for other nations, were all her exertions come to this, that she must purchase a good character for herself at the expence of 100,000*l.*? Could it be supposed, that all those great persons who had so lately recovered their kingdoms, had made applications to this country for the relief of their own subjects? He wished to know what the Regency of Hanover had subscribed, and those who were connected by ties of blood with the Germans? It was a sufficient misfortune for one not to obtain what he asked: but to find it gained, by persons not even connected with his country, was a still greater hardship. Did not the hon. mover know, that there were 3,000 midshipmen, who, without any provision, and many without the means or the ability of doing any thing in life, after they had lost their profession, would now be turned out upon the country? Those were certainly proper objects to receive the bounty of parliament, but the munificence of the government was always displayed towards foreigners to the neglect of those who fought the battles of their country.

Lord *Castlereagh* stated, that the greatest gratitude had been expressed by the emperor of Russia on the part of his suffering subjects. As to the hard treatment which it was asserted British officers had experienced from parliament, the charge was totally unfounded. They had entered the service, fully aware what would be the amount of the half-pay they were to receive; and it now was greater than they originally had a right to expect. It was, therefore, both unjust and impolitic to revert incessantly to an assertion which could only create groundless discontent.

The *Chancellor of the Exchequer* desired to exclaim, that the narrow economy which had been imputed to him. He had never stated, that the country was unable to grant the augmentation of half-pay, proposed by the gentleman opposite, in certain cases. But he had contended, and still thought, that the proposed augmentation was inconsistent with the general scale of allowances, and regulations of the service: that it would lead to mutual jealousy, and a further indefinite extension of claims; and that it would put the officers, when unemployed, and in a situation to seek other means of improving their incomes, upon a footing, perhaps, more favourable, but, at least, too nearly approaching to that of those, whose time was actually devoted to the service of their country. Upon another point, stated by a right hon. gentleman opposite, (Mr. Tierney), that right hon. gentleman had been completely misinformed, and had uttered, no doubt, unintentionally, a most gross, and unfounded aspersion upon our allies. It was not true, that the people of Germany had shown any want of sympathy to the sufferings of those, who were distressed in consequence of the war. He was surprised, that the right hon. gentleman should not have heard of their exertions, and he was particularly astonished, that he should not be aware of those, which had been made by the ladies of Berlin. Surely, he must have heard, that those ladies, not content with sacrificing the ornaments of their persons, and every thing which could be spared, by the strictest economy, from the comforts of their families, for the relief of the sufferers; had devoted themselves, with heroic constancy, to the service of the hospitals. There, amidst every scene of distress, and pain, and disgust, from which persons of firmer nerves, and hardier habits, might have been expected to shrink, were ladies of the highest education, the most refined habits, and the tenderest feelings, daily to be seen; setting, as an example, which it might well become us to imitate, but which, at least, we ought not to forget. Those ladies, and others who co-operated with them in these offices of benevolence, would certainly not think our bounty, as the right hon. gentleman had insinuated, rather an insult, than a benefit; but he (the Chancellor of the Exchequer) was able to state a fact, by no means secret, but publicly known, which placed this subject, if it even could have been doubtful, beyond all possibility of dispute. The sovereign of the country, to which he had particularly alluded, in his late visit to this capital, had sought for an interview with the committee of subscribers, for the relief of the sufferers in Germany, and had not only expressed to them, the warmest sense of the liberality of this nation, but had actually contributed a subscription to this fund, as a mark of his approbation and gratitude.

Mr. *H. Thornton* spoke in favour of the grant.

Sir *T. Acland* supported it warmly. He thought, that when he looked at Greenwich and Chelsea, it was idle to say, that our poor had always been neglected at home. It was to the sufferings, as well as to the exertions, of the Germans, that we owed the present state of peace; and were our resources so far gone, that we could not spare 100,000*l.* to reward them for their conduct?

The Resolution was then put, and carried, without a division.

Poor Clergy—Queen Anne's Bounty.] The Chancellor then moved, "That a sum, not exceeding 100,000*l.* be granted to his Majesty, to enable his Majesty to pay the same to the governors of the bounty of queen Anne, for the augmentation of the maintenance of the poor clergy; to be by them applied in the maintenance of the poor clergy, according to the rules and regulations, by which the funds of that corporation are governed; and that the said sum be issued and paid without any fee or other deductiou whatsoever."

Mr. *W. Smith* opposed the motion, on the ground, that it had not been proved, that the revenues of the church were not sufficient to support all its members, and that the continual and rapid increase of tythes rendered all other contributions unnecessary.

Mr. *Horner* objected to the extension of this provision to the islands of Jersey, Guernsey, and Alderney, which contributed nothing to the revenue of the state.

The *Chancellor of the Exchequer* stated, that it was in consequence of representations made to the privy council, that a decision was taken respecting those islands.

After some further conversation between Mr. Horner, the Chancellor of the Exchequer, Mr. W. Wynne, Mr. Bankes, and sir E. Brydges, the Resolution was carried in the affirmative.

Civil List.] The *Chancellor of the Exchequer* expressed himself desirous, after so much time had been consumed by discussions on other subjects, of encroaching as little as possible, on the time of the Committee, in stating this subject for their consideration. He wished particularly, to recal their attention to the distinction which he had stated on a former occasion, between the two great branches of the Civil List expenditure; that which respected the personal allowances, and the household of the sovereign, and the royal family, and that which comprehended the judicial, civil, and political establishments of the government of the country. It was satisfactory to him, to be able to state, that, though in the general aggregate expense of the Civil List during the last year, there had been some increase; yet, in the household branch, there had been a diminution; and that the general excess arose from an augmentation of some political expenses, which he could easily explain to the Committee; and which, he hoped, would not be thought objectionable. In going through the several classes of the Civil List, it would be found, that in the first class, that of allowances to the royal family, there had been no increase. In the second, that, of the judges, there was also scarcely any variation. In the third, that, of our ministry abroad, there had been a considerable increase from the happy restoration of our relations of amity with the nations of the continent. The amount of this increase was about 13,000*l.* and the particular items, of which it consisted, might be seen by a reference to the printed accounts, to which he should beg leave to refer the Committee. But the increase of 13,000*l.* upon this head, was by no means an additional charge upon the public to that extent; as it would be found, by referring to the sixth classs, that a saving of 8,000*l.* had been made, by the employment of ministers, who before were in the receipt of pensions. This laudable attention to economy in the foreign departments, reduced the actual increase of expense to 5,000*l.* In the fourth class, that, of the bills of the household, there was, in the whole, an increase of about 2,000*l.*; the Bills in the Lord Chamberlain's departments, being about 2,000*l.* less than in the former year; and those in the departments of the Master of the Horse about 3,000*l.* less; while those in the department of the Lord Steward were increased about 7,000*l.* in consequence, probably, of a greater number of entertainments, given by the Regent. In the fifth class, that, of the salaries of the officers of the household, there was an increase of about 2,500*l.* which also appeared to have taken place in the Lord Steward's department. In the sixth class that, of pensions and compensations, there was scarcely any variation, except in that part which related to the pensions of ministers before unemployed, in which there had been, as he had before stated, a diminution of about 8,000*l.* The seventh class, which comprises a multitude of small payments, due by ancient usage, hardly admits of any variation; and in the eighth class, which comprises the salaries of the lords of the Treasury, there was no other difference than what arose from a short vacancy in the office of first lord of the Treasury, in the year 1812; occasioned by a catastrophe too well remembered by the House.

In the remaining class of occasional payments, considerable variations will appear; making, in the whole, an excess of 30,000*l.* which would be found entirely to arise from an increase of 10,000*l.* in the presents to foreign ministers, in consequence of the treaties and conventions which had lately taken place; and an increase of 30,000*l.* in the disbursements of our ministers residing at foreign courts. These two items amounted together to 40,000*l.*; but from them must be deducted a diminution of 8,000*l.* under the head of special service; and one of 2,000*l.* under that of equipage to ministers at foreign courts, making the actual excess of this class, taken collectively, 30,000*l.* Among the extraordinary disbursements, to which he had referred, would be found a considerable sum drawn on account of the missions at Lisbon and Cadiz. He had, on a former occasion, explained the causes which led to the extraordinary expense of those missions. The singular situation of the ministers employed there, of whom sir Charles Stuart was a member of the regency of Portugal, and sir Henry Wellesley, as the representative of the British government, held a connection with the Spanish government very distinct from that of any other foreign minister, would of itself account for any extraordinary expense. But, in addition to these circumstances, it must be recollected, that both Lisbon and Cadiz, were, for a considerable time, almost in a state of siege, and that the loss upon the exchange alone, added 30 per cent. to the expenses of our ministers. He had the satisfaction of stating, that he understood, that those extraordinary allowances had been discontinued from the 5th of July, 1813; and that the bills, which had since been drawn, were for the discharge of arrears before incurred.

The total amount of the charge upon the Civil List, for the year ending the 5th of April last, had been 1,349,000*l.*; of which 1,095.000*l.* had been discharged from the ordinary sources of income, and 136,000*l.* from the droits of Admiralty, and other funds at the disposal of the crown; leaving an ultimate deficiency of 118,000*l.* for which he should submit a vote to the Committee. He might here conclude all he should wish to state, with reference to that vote; but as it was his intention to submit a further proposition to the Committee, for a grant in aid of the Civil List expenses, during the current year, he preferred introducing here what he had to say on that subject, to troubling the Committee a second time. The sum he should propose, was 100,000*l.*; a sum by no means adequate even to the ordinary exceedings of the Civil List in late years, and much less to those extraordinary expenses of which estimates were already on the table; but he thought it much more desirable to wait for the end of the year, and then to submit the account to the approbation of parliament, than to call, by anticipation, for so large a provision, as he might expect it would then be found necessary.

By referring to the estimates on the table, it would appear that the excess of the July quarter only, beyond the corresponding quarter of the preceding year, would amount to a greater sum than he proposed to ask. This excess arose from extraordinary expenses and preparations, which chiefly arose from the visit of the allied sovereigns. Upon those estimates, much had already been said in the House; and it was not his intention to renew the discussion. But he wished to ask, gentlemen, what would have been their feelings, if he had been able, twelve months ago, to have predicted to them, that the greatest sovereigns in Europe, after having, in concert with the councils and arms of this country, terminated a glorious war, by an honourable and advantageous peace, signed in the capital of the enemy, designed to pay the representative of our sovereign, as a proof of respect to his character; and that he, the Chancellor of the Exchequer, had proposed to the House a grant of 100,000*l.* to enable the Prince Regent to make suitable preparation for their reception; whether, in such a case, any other sentiment could have been felt in the House, or any voice uttered, but those of gratitude and exultation? This glorious prospect had, however, been realized; and, whatever might be said of some particular circumstances in the expenses which had taken place, he was sure that the general sentiment of the country, and the strongest feelings of the public went along with the government in all that had been done. When the expenditure, which had been incurred by individuals and corporate bodies on this great occasion, was compared with what had been done by the government, he was sure the House could not think the general amount of the charge extravagant or misplaced. From the shortness of the visit of the illustrious and royal personages alluded to, and from some unavoidable delays, much of the intended preparation had not been completed in time; but that was no ground for condemning it, as it was undertaken in contemplation of a more extended visit.

Much, both of expense and delay, was occasioned by the sovereign of this country, not being possessed of a residence fitted for splendid representation. There were few sovereigns, even of the secondary states of Europe, who did not inhabit palaces much better suited to entertainments on a grand scale. The consequence was, that, whenever any thing of the kind was thought proper, much expense was incurred in temporary buildings; which, after having answered their immediate purpose, were of no further use. It might, therefore, even in point of economy, be well worth consideration, whether a palace should not be erected; but this was a question which he undoubtedly thought ought not to be hastily decided; and he was far from suggesting, that it would be proper to undertake it at this moment. He did not, at present, feel it necessary to go more minutely into the subject, but should conclude by moving, "That a sum, not exceeding 118,857*l.* 4*s.* 11*d.* be granted to his Majesty, to make good the deficiency of the Civil List, on the 5th day of April 1814.

Mr. *Tierney* complained of the lateness of the period in the session, at which the question respecting the Civil List—a question of so much importance—was brought under the consideration of the House. He trusted that early in the next session, the subject would undergo a serious investigation before a committee above stairs, and that the committee would be empowered to examine witnesses, without which, all enquiry would be perfectly nugatory. The right hon. gentleman did not mean to say, that any of the items, contained in the estimate, were incorrect; but he conceived that information ought to be laid before the House, to satisfy them of the fact. There was a sum of 24,000*l.* charged for the expenses of sir William Stewart, as our resident at Lisbon: now, he meant not to insinuate that the whole of this sum had not been fairly expended; but he complained, that no documents were laid before parliament to enable them to ascertain how. He could not move for the correspondence of sir W. Stewart, for the purpose of procuring information on the subject. The only mode, then, was, to examine evidence at the bar. The regular increase of the Civil List, was a circumstance that called peculiarly for the notice of the House. The Civil List had been given as a boon to the crown. It had been settled at a particular sum, under the impression, that the bounds so laid down, would not be exceeded. But in this they were mistaken; the excess, in 1811, was 124,000*l.*; and, in the two last years, 1812 and 1813, it amounted to no less than 240,000*l.* He could not state this to the House, without observing, that "there was something rotten in the state of Denmark;" that there was something in the management and expenditure of the Civil List, requiring their interference. It was not his intention to press any discussion on the subject at the present moment; but he hoped, that in the next session of parliament, what he had now stated, would not be forgotten. A bargain ought not to be concluded without due deliberation; but, when once concluded, it ought to be adhered to. The total Civil List amounted to 1,700,000*l.* per annum; of this, the royal family received 571,000*l.* totally apart from any expense incurred in the department of the Lord Chamberlain or the Master of the Horse. In pointing out how this sum was apportioned, he could not help making the same observations which he had done, when the indisposition of the King was under the consideration of the House, with respect to the enormous extent of the Windsor establishment; observations which now had double force, when no expectation remained that his Majesty's health was likely to be restored. There was an increase, he observed, of 20,000*l.* on the Windsor establishment, which came under the fourth class of the Civil List, the Lord Steward's department. The items of which the establishment was composed, were as follows: his Majesty received 160,000*l.*; her Majesty 68,000*l.*; the princesses, 16,000*l.*; making a total on the Civil List, of 244,000*l.* There was, besides, to the princesses 36,000*l.*; and a charge on the duchy of Lancaster, of 10,000*l.*; making altogether 290,000*l.* This was the annual allowance for the Windsor establishment, unburdened with any repairs—completely freed from any great contingent expences. Now, he would ask, was it right that her Majesty should have at her disposal, and under her controul, so enormous a sum as 290,000*l.* sterling? Was this sum necessary for the maintenance of a house of mourning—where no extravagant amusements, where no festivities were admitted? He did not now state this for the first time; he had made the same observations when Mr. Perceval made the arrangement. But it was now absolutely an insult to the public to say, that the Windsor establishment demanded so large a sum as he had mentioned. The privy purse of the Prince of Wales was 60,000*l.* per annum; why a sum of 10,000*l.* was added to it, he could not conceive. The privy purse of his Majesty was only 60,000*l.* while that of the Prince Regent is 70,000*l.* The duchy of Cornwall, on an average, was said to produce 13,000*l.* per annum. But this was an old average; and, he believed, of late years, it brought in considerably more. But taking it at 13,000*l.* joined with the privy purse, the whole formed a gross sum of 83,000*l.* There was a charge of 65,000*l.* for his Royal Highness, on the consolidated fund, making, with the former, 148,000*l.* Of this, 50,000*l.* was set apart for the payment of his Royal Highness's debts; and there were other charges on it, to the amount of 22,000*l.* more, being a total of 72,000*l.*; which, deducted from 148,000*l.*, left a clear income of 76,000*l.* per annum. Why, then, should parliament be called upon to increase the salary of the Princess of Wales, by an addition of 13,000*l.*, when the Prince Regent, provision having been made for his debts, had at his disposal, 70,000*l.* a year? If the droits of Admiralty should be unproductive in future (no person surely could expect that they would be productive), and the civil list proceeded on its present scale, it would hereafter be found necessary to provide not less than 250,000*l.* per annum out of the public purse, in aid of that list. While the demands of the civil list were defrayed out of the funds arising from contingencies, gentlemen, perhaps, did not think it necessary to examine the system; but its operation hereafter would be exactly what he had stated, unless proper measures were adopted.—Mr. Tierney then proceeded to animadvert on the items forming the heads of expenditure in the Lord Chamberlain's department. And, in the first instance, complained, that estimates, necessary to enable the House to form a proper judgment on the expenditure, had not been submitted to them. To shew that the expense of all works projected in the Lord Chamberlain's department, ought, in the first instance, to be estimated, he read a paper, signed by Mr. Hyams, of the board of works, in which that principle was fully recognised. Now, it did appear, by the proceedings which had recently taken place, that this system was not, in any one point, carried into effect. And when he called for information on the improvements now going forward, he got the estimate of what had been done; but as to the ultimate expense, not a syllable was said about it. When the right hon. gentleman was asked, what expense was likely to be incurred by the visit of the foreign sovereigns to this country? he said, perhaps, 100,000*l.*; but, on looking to the expenditure of the Lord Chamberlain's department, they would find it 177,000*l.* more than the preceding quarter—without taking into the account the preparations for a fête in the park, estimated at 15,000*l.*, and making an exceeding of 192,000*l.* With respect to the fête, the right hon. gentleman seemed to think it was of no importance, whether the royal visitors witnessed it or not, so that they beheld the great preparations making; now, he could not conceive, that it would be any great luxury to them, when they departed, to know that a fine pyramid was nearly erected in Carlton-gardens. Government ought either to have had those buildings ready in time, or they should have prevented them from being prosecuted It was said, however, that much of the expense arose from the circumstance of the Prince Regent not having a palace sufficiently extensive, in which he could entertain the royal visitors. The answer to this observation was, that he had, in point of fact, entertained them in Carlton-house; and, he believed, no additional rooms were erected for the occasion. He looked upon the notice taken of the want of room in Carlton-house, as a sort of hint, that other buildings were in contemplation; but he would advise the right hon. gentleman, before he approved of the erection of certain palaces, which were much talked of, to pause a little. The right hon. gentleman lived in a country where the people thought money matters ought to be attended to—he lived in a country, where, if he thought fit to amuse himself with raising palaces, he might probably be called to account in a way that would not be very pleasant. In the present quarter, as compared with the quarters ending the

5th of July, 1812, and 1813, there was an exceeding of 192,000*l.* in the Lord Chamberlain's department. For Hampton-court, Carlton-house, &c. the expense, in the last quarter, was 71,000*l.*; of which Carlton-house, alone, engrossed 20,000*l.* For extra-expenses, on account of the royal visitors, 32,000*l.* This, he understood, was not for eating and drinking, which would come under the Lord Steward's department, but for furniture. Now, he could not conceive, how so large a sum was necessary for that purpose, when one of the royal visitors resided at the Pulténey-hotel, an expense which he believed government did not defray. The king of Prussia lodged at the house of the duke of Clarence; and, as he understood from public report, there never were two individuals who cared less, or looked less, for courtly trappings than they did. He, therefore, was at a loss to know how 32,000*l.* should be expended in necessary furniture. He wished, however, to know, whether all this furniture, so little used, was utterly lost to the public. He should be glad to learn, whether it became a mere perquisite. He understood, that Buckingham-house, where her Majesty appeared, perhaps, eight or ten times a year, had been, on this occasion, almost new furnished from top to bottom? This was a mere pretence for furnishing, since the royal visitors did not, he believed, go there more than twice. With respect to Carlton-house, the charge was astonishing. In this quarter, 20,000*l.* were called for; which, added to what had already been granted, made, in the course of 15 months, no less than 137,000*l.* Nor should the House forget, that, when his royal highness became Regent, the sum of 100,000*l.* was voted for outfit. Thus, it appeared, no less a sum than 237,000*l.* had been granted, within a very short time, for the purpose of rendering Carlton-house a splendid palace. And it was worthy of remark, that all the plate, glass, china, every thing, in short, necessary for an outfit, were charged, independently of the 100,000*l.* voted. What had been done with this sum, he could not pretend to say; but undoubtedly, it was a question which parliament might enquire into without much impropriety. What he had already enumerated, had nothing to do with the department of the Master of the Horse. Here he found an increase, in the present quarter, of 6,171*l.* One item, under this head, particularly struck him. It was a charge of 10,000*l.* for "journeying." Now, as the journeys of the royal visitors were not numerous, this did appear to him a very large sum. In the Lord Steward's department, the excess, in eating and drinking, as compared with the two former quarters, was, in the present, 45,000*l.* The right hon. gentleman, in conclusion, observed, that he had discharged his duty to the people of England, in making these observations, which, he trusted the House would not pass by unnoticed; for there never was a period when it was more necessary, that the expenditure of the country should be more narrowly watched.

The *Chancellor of the Exchequer* again said, that the right hon. gentleman had entirely mistaken the reason which had induced him to insist strongly on the distinction between the household expenditure; and the political branches of the civil list. He was so far from thinking, that he had sufficiently justified any expenditure, by shewing that it was of a political nature, that his object, in pointing out such heads of expense, was principally to shew, that they were of a nature open to the free and unfettered investigation of parliament. For expenses of a political nature, he and his colleagues were directly and distinctly responsible; while, with respect to the domestic establishment of the Sovereign, the enquiries of parliament had always been limited, by a decent and becoming delicacy and deference. He had endeavoured, in proposing the vote, to give an explanation of those branches of the political expenditure, in which the greatest excess had been incurred, and particularly those which arose out of our diplomatic relations. If any further explanation was required upon that branch of expenditure, he should be very ready to give it; but the observations of the right hon. gentleman had wholly turned upon charges of a very different nature, upon which, he (the Chancellor of the Exchequer) had before offered a few observations, and upon which it was now necessary for him to add something more. He did not mean to impute any want of candour to the right hon. gentleman's observations; but, he wished the House to recollect, what a carnival of general joy and exultation we had just passed through. The right hon. gentleman had represented the whole of this expense, as incurred for purposes of a merely temporary and fleeting nature. The fact, however, was otherwise; a considerable part of the expense was incurred for permanent services. 22,600*l.* for additional rooms at Carlton-house, of the same permanent materials and structure as the rest of the edifice. 26,000*l.* more, for rooms, which, though prepared for the occasion, were so far of a permanent nature, that the principal part of them were constructed in frames, with a view to their being taken down and re-placed, at a very small expense, whenever occasion might require. Another item of near 7,000*l.* arose from another arrear, incurred under the directions of the late Mr. Wyatt. He was very sorry, that the accounts of that gentleman were not yet in a state to be finally liquidated; but, his inaccuracy, in pecuniary concerns, was already too well known to the House, and had produced great inconvenience both to the public and individuals; but most of all, to Mr. Wyatt himself. It was, however, due to his character to add, that, whatever laxity and carelessness might appear in his pecuniary arrangements, and however blameable such conduct might be thought in a public officer, no imputation could rest upon his disinterestedness and integrity, and that the ultimate loss would fall, not upon the public, but his family. The right hon. gentleman had expressed some wonder how a further expenditure of 20,000*l.* could be incurred for furniture at Carlton-house; but, he desired to call the attention of the Committee to the particulars of the account before them. About 8,000*l.* had been expended in plate and jewels, including those honorary presents which are usual on great public occasions. Between 6,000*l.* and 7,000*l.* for upholstery, comprising not only the furniture of the additional rooms, but much occasional decoration suited, as it appeared to him, with great taste and judgment for the reception of the illustrious persons who had lately visited this country. One room had been fitted up with ornaments representing *fleurs-de-lis,* in honour of the king of France; and other appropriate ornaments had been introduced in honour of the other sovereigns, who had been the guests of the Prince Regent. As to the remaining item of 32,000*l.* for furniture, provided for those illustrious visitors, it must be recollected, that the duke of Cumberland's apartments had been completely prepared and fitted up for the reception of the emperor of Russia, in a stile of magnificence, worthy of their intended purpose. Some expense had arisen from the supposition, that the emperor of Austria would visit this country; and the duke of Clarence's house had been completely new furnished for the occupation of the king of Prussia. Furniture, of considerable value, was sent down to the royal yachts, and to Portsmouth. The right hon. gentleman was much misinformed, if he supposed, that all this furniture went as perquisites to any individual. A claim, indeed, of this kind had been allowed at Portsmouth, to a very moderate expense, upon the plea of ancient usage; but, in every other instance, the furniture remained applicable to the use of the Prince Regent. In the Lord Steward's department it was naturally to be expected, that there should be a considerable increase, when it was recollected, that, from the time of the arrival of our illustrious visitors, a table had been constantly kept at St. James's for 200 persons, besides the tables in the royal yachts, at Portsmouth and elsewhere. But, on this department he should not dwell, as the right hon. gentleman had himself been willing to give it credit for all practicable economy. On the expenditure of the Master of the Horse, he had made some observation, particularly, with respect to the sum of 10,000*l.* charged for the expense of journies. But, the right hon. gentleman ought to have recollected, that it was not only the journies from Dover to London and back again, but journies to Oxford, Portsmouth, and other places, which were included in the account. It was also obvious, that the just and necessary increase of royal carriages and horses, employed during the late visit, must have occasioned a considerable increase of expense. He fully admitted the responsibility of the Treasury, as to every branch of expenditure; but, he must candidly confess, that, on this occasion, there had been a hurry of preparation, which did not allow of time for regular estimates to be prepared and examined. If, on an occasion so extraordinary, and so little likely to form a precedent, the Treasury had relaxed a little from its usual strictness, it only sympathized with the general disposition of the nation, and he hoped the House would be inclined to view their conduct with some degree of indulgence.

Mr. *Tierney* understood from the right hon. gentleman, that the furniture, though not a perquisite to any person, was intended to be stored up for the Prince Regent. Was it then intended to give 32,000*l.* worth of furniture to his Royal Highness more than he wanted?

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The *Chancellor of the Exchequer* did not know whether his Royal Hihgness wanted it or not; but great part of it being unfit for any rank below that of royalty, the upholsterer could not be expected to take it back.

The Earl of *Yarmouth*, after a few words on the subject of the income of the Prince Regent from the Civil List said, that with respect to the works going on in the Parks, the responsibility for them had been expressly taken from the Lord Chamberlain.

Mr. *Tierney* would make no observation on what had been said by the noble lord, except congratulating the House and the country on the way in which things seemed to be managed.

Mr. *Whitbread*, adverting to the extraordinary disclaimer of the noble earl, on behalf of the Lord Chamberlain, of any responsibily as to the works in the Parks, asked who was to father that which hitherto no one seemed willing to acknowledge?

The *Chancellor of the Exchequer* said, that the expense of these works would be defrayed by the Treasury.

Mr. *Whitbread.* Who gave the orders, and where was the primary authority?

The *Chancellor of the Exchequer.* The estimates of the works were given into the Treasury, and the authority certainly rested with the Treasury.

Mr. *Whitbread.* Who gave the orders? (Cries of order! order!) He begged pardon, but really, after what had been said by the noble earl, it would be most extraordinary if the right hon. gentleman refused to state who gave the orders.

Lord *Castlereagh.* This was not a case that admitted of any specific determination as to the particular forms under which the orders for conducting the preparations were to be issued. It was a matter certainly rather more under the cognizance or the Lord Chamberlain than the Treasury. The duty incumbent on those, who had any concern in the management, was to keep within the bounds prescribed by the nature of the occasion, which was such as to make it quite impossible to reduce the whole responsibility to any one person. He apprehended, that such expenses were perfectly sanctioned by the occasion, without its being possible to draw them into any precedent.

Mr. *Tierney.* Good God! did the noble lord mean to say, that there was an absolution from all responsibility on this occasion? He had no design to make any attack on the Lord Chamberlain, but he was more responsible than he seemed to think. What could those works be, of which no estimate could be made? It was absurd to say, that no estimate could be made of them.

Lord *Castlereagh.* It might just as well be said, that his Majesty's ministers were to be responsible for all the expenses and preparations of a fête, as for those now in question. There were some expenses, which came within the direction of the sovereign himself, without the interference of ministers, by their advice and responsibility. It would be pushing a salutary rule to a most absurd extent, to apply it to such a case. He did not, by any means, object to the principle itself, but to its application in this instance.

Mr. *Tierney.* Would the noble lord say, that no estimates could have been made out, of expenses, on so large a scale? If they could, he would say it was most criminal not to produce them.

Mr. *Wynn* thought the principle of the noble lord, on this matter, most dangerous. It would not have caused any delay in this case, if matters had been conducted in the regular mode by the sovereign, signifying his pleasure to the Lord Chamberlain. What return had the people for the large salary paid to such officers as the Lord Chamberlain, if it was not their responsibility in such cases?

Mr. *Whitbread* had one other question to ask. Who was the person who communicated with the Treasury on this subject?

The *Chancellor of the Exchequer* had no doubt, that a surveyor of works was appointed on this occasion. There were officers appointed for this purpose, under the Lord Chamberlain, and it was probably from some of these that the communications were made.

Mr. *W. Smith* said, that if it was proposed to expend 2, 3, or 400,000*l.* in the erection of a new palace for the sovereign, it would not give such dissatisfaction as this waste of money, by driblets of 20 or 30,000*l.* at a time.

Lord *Castlereagh* said, that, even if we had not had the satisfaction of a visit from the illustrious sovereigns, who lately left this country, the public would expect some celebration of so great an event as the conclusion of peace. For his own part, he knew no way in which an impression of the greatness of the event could be signified, except by some such festival as that in preparation. And, if there was any disposition to moralize in the conduct of government, in this respect, it certainly could be for too great attention to economy. He entreated the hon. gentleman opposite, not to be so very severe on the subject, merely because they fancied they had found some flaw in the management. Did they imagine, that it was possible to reduce all the preparations for such a purpose to estimates? It was impossible. As to the naval part of the preparations, he confessed, he did not see much merit in them, until, on riding into the park, he there observed, that they had drawn together an assemblage of beauty and civilization, of which no other metropolis could boast, a circumstance which compelled him to acknowledge their value.

The Resolution was then agreed to; as was also one for granting 100,000*l.* towards defraying the extraordinary charges of the Civil List, for 1814.

On the resolution, That the sum of 10,074*l.* 13*s.* 5*d.* be granted to his Majesty, to discharge, in the year 1814, the bills due to the several tradesmen, for works done at the Houses of parliament, and the Speaker's house, from the 6th of January, 1812, to the 5th of January, 1814,

Mr. Serjeant *Onslow* took the opportunity of recommending, that the salary of the Speaker should be increased. It was, at present, only what it had been for 24 years; and when the great diminution that had taken place in the value of money, since that period, was considered, it must appear to every one, to be an inadequate remuneration.

The Resolution was agreed to.

IRISH PRESERVATION OF THE PEACE BILL.] The House having resolved itself into a committee on the Bill to provide for the preserving and restoring of peace in such parts of Ireland as may, at any time, be disturbed by seditious persons, or by persons entering into unlawful combinations or conspiracies,

Sir *H. Parnell* rose to call the attention of the committee to the Bill, as one of the greatest importance, under the present circumstances of Ireland. He had not opposed the Speaker's leaving the chair, because he believed that some legislative measure was necessary to restore the peace of that country; but, in respect to the Bill, the only part which he could approve of was the preamble, which stated this necessity to exist. The various enactments of it were not, in his opinion, either justifiable by any sound principle of legislation, or by the state of things in Ireland. For this reason, he was sorry a committee had not been appointed to examine into the question, as the result must have been a very different proceeding from that they were now called on to agree to. By the assistance of such an enquiry, the committee would have been able to understand exactly what was the state of Ireland, which they could not do from the information given to it by the right hon. secretary. Though he had mentioned a great many outrages, and proved a considerable extent of disturbance to prevail, he had not explained the system on which the several illegal associations, which existed in Ireland, were formed, their various ways of extending themselves, or the objects they had in view; neither had he told the House how many there were of these associations. The right hon. gentleman has described the Thrashers, Carders, and Caravats, which infest the central parts of the country; but he has said nothing of the continual disturbance of the peace, the riots, battles, and loss of lives, which are almost daily occurring in the province of Ulster; or of the association of Orange-men, to which this state of the north is to be attributed. In speaking of the Orange-men, it was necessary to draw a distinction between those who were called so because they were Protestants, who were hostile to Catholic emancipation, and those who were associated in lodges, and, by a secret oath, for the purpose, as they hold out, of maintaining the Protestant ascendency; the former did no more than exercise that freedom of opinion, which every one was entitled to enjoy, and were a body of men, very conspicuous for their loyalty, and high independent principles; the latter, though equally loyal, were influenced by the strongest feelings of persecution, in all their thoughts, and actions, in regard to their Catholic countrymen. They were organized under a most perfect system of secret association. Their lodges were governed by masters, and committees, secretaries, and treasurers. A certain number of masters of lodges, elected masters of districts; these masters of districts, elected masters of counties, and cities, and these formed the grand lodge, whose authority, every Orangeman was sworn to obey. Each Orangeman paid, annually, a sum of money to a general und; and, on admission, took an oath, binding himself to obey the rules and orders of the grand lodge, and not to divulge the secret rules of the association. By their processions, on certain days in each year, their resolutions at their meetings, and their general conduct towards the Catholics, they provoked a constant effort, on their part, to vengeance and retaliation; and thus it happened, that, without being the actual aggressors, no large meeting of the people, on public occasions hardly ever took place in the north of Ireland, without a desperate battle ensuing, and the loss of many lives. This being unquestionably the state of the north of Ireland, it became the right hon. gentleman to bring it under the notice of the House, when he called upon it to adopt a measure for preserving the peace of Ireland: he should have proved himself an impartial public servant, and ready to suppress illegal associations of all kinds, whether he found them in the south, as Caravats; or, in the north, as Orange-men. It might not, perhaps, have been necessary for him to introduce any particular clause in his bill directly applicable to this association, because the law, as it now stands, is sufficient to enable the executive government to proceed against it; but he should, at least, have spoken of it in such terms as would have left it beyond all doubt, that the Irish government would prefer enforcing the laws with strict impartiality, to giving countenance to a system, which was destructive of the public peace and subversive of all law. It was the more necessary that he should have taken this course, in consequence of the failure of the declared sentiments of this House, in the last session, to discourage it. The noble lord opposite, (Castlereagh) had scarcely declared, that the government would enforce the laws against this association, when a meeting of the Grand Lodge was held in Dublin, on the 12th of July, and a counter declaration was published, calling upon all Orange-men to persevere, and not to submit to the attempts that were made to put them down. On the very day on which this declaration was published in Dublin, a riot took place in Belfast, originating in a procession of Orange-men, in which three persons were killed. In the course of the year, various other riots had occurred at Kilkeel, at Shercock, and other places; and no less than twenty or thirty lives were lost in these several affrays. Under these circumstances, it was not too much to require from his Majesty's ministers, on this occasion, to renew the declaration which was made in the last session, and to pledge themselves to act upon it, and restore the peace of the province of Ulster. But this association of Orangemen, was the cause of still greater evil than that already described; it had lead to the formation of a counter association of persons calling themselves Ribbon men. This was planned exactly upon the same principles of lodges, and secret oaths, and it appears to have consisted of 20,000 persons, according to a statement of Mr. O'Connell in the month of June, of last year. If then, the right hon. gentleman had given an accurate statement to the House of the extent to which the system of illegal association was carried in Ireland, he would have shown that there were no less than five different bodies, each of them organized by secret oaths, and under a distinct plan of government, in the whole, covering a great portion of the kingdom, and keeping it in a state of continual disturbance. As a remedy for this evil, he calls upon the House to adopt a measure, which is to enable the magistrates, at sessions, to transport all persons found out of their houses between sunset and sun-rise, and without a trial by jury! Whereas, instead of a measure so unconstitutional, and so very liable to be abused, and to be attended with great vexation and cruelty, he ought to have proposed one which should have been consistent with the ordinary usage of the constitution, and directly calculated to punish, with facility and certainty, all those various offences, which particularly distinguish the character of these several illegal associations which have usurped the dominion of the country, and supplanted the laws of the land. In order to obtain such measure, in place of that which was proposed, the hon. baronet said, he should move to leave out the words in the 7th clause, " without any grand jury, and without any bill found, and without the verdict of any petit jury." He said, he had heard no good reason urged to show the necessity of laying aside the trial by jury; that, in respect to the county he represented, he was sure the juries would discharge their duty without being influenced by any fear of injury for so doing; and, if it should be otherwise in other counties, a remedy might easily be found, in moving the place of trial to some neighbouring county.

Mr. *Peel* said, the Bill, was in all respects, a literal transcript of that of 1807, and those clauses, to which the hon. baronet objected, formed part of it. The right hon. gentleman, entered upon a vindication of the Orange societies, from the unjust aspersions which had been cast upon them; he stated, that they had existed for more than twenty years; that they had been grossly calumniated by the disaffected, who had dared to respresent their views to be nothing less than to destroy the Catholics, burn their chapels, and exterminate their religion. But so far from these societies being liable to the imputations cast upon them, it was but justice to declare, that there only fault was an exuberance of loyalty. Their oath only bound them to support, by lawful means, the Protestant ascendancy, and the government of his Majesty, George the third, and never to join with united Irishmen. Adverting to the remarks of the hon. baronet, respecting the riot at Castletown, the right hon. gentleman justified the calling out of the militia, and read the verdict of the coroner's inquest, which stated, that the person who was killed had met his death by a random shot, from soldiers who were obliged to fire in their own defence.

Sir *H. Parnell* rose again, and spoke as follows:—

What has fallen from the right hon. gentleman, renders it necessary for me to trouble the Committee a second time. The right hon. gentleman has stated, that the petitions which have been presented against the Orange associations, were the work of the Catholic board; and he has preferred a charge against me, for being the organ of that board. The Catholic board did certainly apply to me to bring the conduct of the Orange societies under the consideration of the House, and I willingly consented to do so, because this board was virtually the representative body of the whole Catholic population; and because I knew the grievance complained of was one which called for investigation and relief. In complying with their request, I did no more than what it is the duty of every member of parliament to do when called upon, by any great portion of the constituent body, to advocate their cause against injustice and persecution. I did no more than what has so frequently been done by the right hon. gentleman, the member for Dublin, when he has proposed motions to the House in favour of Catholic emancipation. So far from feeling myself exposed to censure, I tell the right hon. gentleman, that, if that board was existing, I would readily comply with any other application they might make to me, similar to that which they made last year. But the right hon. gentleman has not only attempted to take away from the weight of my observations upon the Orange association, by endeavouring to connect them with the Catholic board, but from the credit of the petitions against it, which I have presented this session, by saying, that they were the petitions of this board. This fact, I positively deny—they are the petitions of a great number of the most respectable inhabitants of the principal towns in the province of Ulster, and owe their origin to the distracted state of society in that province, and not to the advice or exertions of the Catholic board. In respect to the attempt of the right hon. gentleman to diminish the credit of these petitions by his statement, that no Protestant of the town of Newry has signed them, and that in one petitition several names appear to be in the same handwriting; the committee, I hope, will feel, that these petitions should be judged upon only according to the truth of the allegations that are contained in them. To these allegations, the right hon. gentleman has made no reply; he could not do so, because he knows they are true, and that every thing that appears in them can be, if necessary, supported by evidence. In regard to the origin of the Orange societies, and of the cause of the hostility that exists between them and the Catholics, a history of which the right hon. gentleman has been pleased to give the Committee, I have no hesitation in saying, it is incorrect. On this point, there is evidence which places the matter beyond all dispute—the address of lord Gosfort to the magistrates of the county of Armagh in the year 1795. He says, "It is no secret, that a persecution, accompanied with all the circumstances of ferocious cruelty, which have, in all ages, distinguished that dreadful calamity, is now raging in this county. Neither age, nor even acknowledged innocence as to the late disturbances, is sufficient to excite mercy, much less afford protection. The only crime which the wretched objects of this merciless persecution are charged with, is a crime of easy proof—it is simply a profession of the Roman Catholic faith. A lawless banditti have constituted themselves judges of this species of delinquency; and the sentence they pronounce is equally concise and terrible—it is nothing less than confiscation of all property, and immediate banishment."—This is the recorded history of the first Orange-men, in the words of one of the most upright and respectable men that ever lived; and they fully prove, that the original cause of the hostility between Catholics and Orange-men is not, as it has been said by the right hon. gentleman, the treason of Catholics and the loyalty of Orange-men, but a principle of persecution more violent and more dreadful than ever existed in any other country. I do not, by any means, impute to the Orange-men of the present day the same excessive spirit of persecution; I consider them as a very different order of men, and I am willing to allow them all the merit they assume for loyalty to the King and attachment to the constitution. I am also ready to allow, that in most of the recent riots which have taken place, they have not been the aggressors, and that what is blameable in their conduct, is owing more to a mistaken view of what is their duty as loyal subjects and good citizens, than to any innate or cruel disposition to injure and destroy their Catholic fellow countrymen. I have no desire to see the government adopt any harsh or vindictive measures, in attempting to suppress their association; all I wish and think necessary for government to do, is to have it distinctly understood that they consider the association illegal, and that they will take measures to prevent the laws from being violated, without prejudice or partiality to any description of persons. This, I trust, will yet be done, as the right hon. gentleman certainly deserves credit for the latter part of his speech, whatever the errors may have been that distinguished the beginning of it, wherein he said that he would not encourage the association, that he would use his utmost endeavours to controul it, and that every step should be taken, on the part of government, to prevent irritation, and the recurrence of those scenes which has repeatedly disgraced the north of Ireland in the course of the last year. I wish, Sir, before I sit down, to allow that the statement, which the right hon. gentleman has made concerning the riot at Castletown, appear to me, to place it in a very different point of view to that in which it was represented to me; and it appeared to me, when I called the attention of the House to it. It is very satisfactory to me to find, that no charge is imputable to the magistrates of any abuse of their authority; and that their conduct was intended for the best, and was governed clearly by no other motive than that of discharging their duty in the manner that appeared to them the most conducive to the public peace. From my acquaintance with them, I am perfectly able to bear testimony to the spirit, justice, and moderation, with which their proceedings, as magistrates, have always been distinguished.

Mr. *Horner* said, that the account of the affair of Castletown, given by the right hon. secretary, did not contradict the information which he had received, and had submitted to the House for the purpose of exciting enquiry. It was not the military who had been represented to him as having been to blame, but the magistrates who had improvidently and unwarrantably called them in. By the present act, he did not see how the petty jury were to be constituted, or how they could act.

The House then divided, on sir H. Parnell's amendment, when there were—For the amendment, 6—Against it, 66—Majority against it, 60.

## HOUSE OF LORDS.

### *Monday, July* 18.

BRISTOL GAOL.] Earl *Stanhope* said, he had a Petition to present, which would astonish their lordships when they became acquainted with its contents. The House would recollect he presented, on a former day, a Petition from a person in Gloucester gaol, complaining of the illegal practice of opening and intercepting letters, passing between prisoners and their law-advisers; and he now had to present a Petition complaining of a similar practice in a gaol at Bristol. There had been two persons confined, and for an offence which he would state to their lordships. When the late rejoicings were going on for that peace to which a noble duke opposite (the duke of Wellington) had so much contributed, these two men fired pistols on the occasion. This might be deemed their utmost offence, for which they were immured in dark cells for a month, and their letters stopped and opened. Now, he happened to know, that the servants of more than one of the bishops were firing pistols about the same thing, and yet they were not punished;

neither was he disposed, for such an offence, to hang either the servants or their masters. On trial, however, they were not found even guilty of this offence, and were acquitted. It was not his intention to make any motion, after the Petition was laid on the table, but to recommend the same course which had been pursued respecting the Gloucester Petition. The noble viscount (Sidmouth) had transmitted a letter to Gloucester, on the subject, and he had seen the letter, requiring that these illegal practices might be discontinued, which reflected high honour on the noble viscount in the discharge of his duty as secretary of state for the home department. He should now only recommend it to that noble secretary, to pursue the same conduct upon the present occasion.

The Petition was ordered to lie on the table.

Dutch Islands.] Lord *Holland*, seeing a noble earl at the head of the Treasury in his place, was desirous of knowing if it was likely that, before the end of the session, any communication would be made as to the islands agreed upon to be delivered up to Holland?

The Earl of *Liverpool* said, he believed it was not likely that any communication on the subject, mentioned by the noble lord, would be made to that House, before the end of the session. As to the islands alluded to, they were still in discussion with the government of Holland, and it was not probable, that he should have it in command to make any communication to the House in the present session.

Lord *Holland* wished also to understand, whether the final disposal of the islands he referred to, would be left solely to the adjustment of this country and Holland, or whether they would come under the consideration of Congress?

The Earl of *Liverpool* observed, that the subject was wholly for the consideration of this country and Holland, and not to be referred to the deliberations of Congress.

Corruption of Blood Bill.] Lord Erskine moved the third reading of the Corruption of Blood Bill.

Lord *Holland* rose for the purpose of proposing an amendment, which justice, policy, and good faith required. The old law, the alteration of which was now suggested, was founded upon gross injustice, proceeding upon the principle of punishing the innocent for the guilty; but he wished particularly to draw the attention of the House to the case of Scotland, which, previous to the Union, was unacquainted with the law of corruption of blood in any case, although the law of forfeiture was one which had anciently prevailed over all parts of the United Kingdom. He quoted the authority of Burnet, to prove that, at the time of the Union, the law establishing corruption of blood, in cases of high treason, had been adopted as a compromise between the parties, although strongly resisted by the parliament. In 1744, the year before the rebellion, at the time when danger was apprehended, the law had been continued during the lives of the sons of the Pretender, but the necessity had ceased upon the death of the late cardinal de York. Under these circumstances, it was but an act of justice to restore, at least, Scotland to the situation she held before the Union, if it were not deemed expedient to abolish the law of corruption of blood in all parts of the United Kingdom. It was impolitic, because it rather promoted than discouraged treason, and must lead to continual animosities. He should, therefore, move as an amendment, the omission of the words "save and except in all cases of high treason, petty treason, or murder, or of the abettors of the same." If, however, the House should reject this general motion, he would propose, that the exemption in its present shape should only extend to England and Ireland.

The Duke of *Norfolk* opposed the amendment; arguing, that by the law as it now stood, many individuals would be dedeterred from the crime of high treason, by the consequences which attended it to their posterity.

The amendment was negatived; as were also another amendment, moved by lord Holland, to insert after the exception the words, "in those parts of the United Kingdom called England and Ireland;" and a subsequent one, likewise moved by his lordship, for leaving out of the exception the words "petit treason and murder." The Bill was then read a third time and passed.

Freehold Estates Bill.] Lord *Erskine* moved the third reading of the Bill for rendering the freehold estates of persons dying indebted, liable to the payment of their simple contract debts. His lordship observed, that common honesty required that the estates of persons dying indebted should be rendered liable for the payment of their debts; and he thought, therefore, the preamble of the Bill, declaring the expediency of this, self-evident. His lordship put the case of a person borrowing 50,000*l.* on simple contract, and purchasing an estate with it. By means of a little money, he might get over the long vacation, to prevent his creditors getting judgment till the ensuing term; in the mean time, he might die, and his heir would succeed to the estate, whilst his creditor would be unable to recover a farthing. To meet such cases as this, he thought the present Bill necessary; and he could not conceive why, as a judgment bound the heir, the estates should not be liable, in the first instance, to the simple contract debts of their late possessor. His lordship argued, at some length, upon this ground, and with reference to cases that had occurred, contending for the expediency of extending (as this Bill proposed to do) the principle of the act of the 47th of the King, rendering the estates of persons dying, being at that time subject to the bankrupt laws, liable for their simple contract debts to the whole country. Persons might still do what they pleased with their own estates; the only object of the Bill was to give creditors a chance of recovering their simple contract debts, where the debtor died possessed of freehold estates, without sufficient personal assets.

The Duke of *Norfolk* objected to the Bill, on the ground that it would unsettle the law regarding landed property, and render it extremely difficult to effect a sale of a freehold estate, as the purchaser could scarcely ever feel himself secure against the claims of the creditors of the former possessor.

The *Lord Chancellor* also objected to the Bill, as unnecessary, it being always in the power of the creditor to bargain with his debtor for that security which would render the freehold estate of the latter liable for the debt. The present Bill, went to do away all that caution, with which it had been the policy of our institutions to fence round landed property, whilst it, in fact, afforded little or no real security to the creditor. If the principle of this Bill was to be adopted, why should it not equally be extended to estates tail, to copyhold estates, and to stock in the public funds? The fact was, that the creditor had it in his power to bargain for a security affecting the property, of whatever description, of his debtor; and it was much better that he should be left to use his own caution and discretion upon this point, than that he should sit down in apathy and carelessness, under the impression, that the legislature would take care of his interests.

Earl *Stanhope* opposed the Bill upon the ground that it would take away, in a great number of cases, the trial by jury, and throw the questions that ought to be decided upon by a jury, into the Court of Chancery.

Lord *Holland* could see no harm in generalizing the principle which had been already put in action. The trial had already been made, on a small scale, in the Bankers' act; and now we came, after finding its good effects, to try it on a larger.

Lord *Redesdale* objected to the Bill, on the ground that it could only be brought into operation after the death of the debtor, and after it had been seen whether his personal estates would be equal to the payment of his debts. The present Bill, too, he thought, would lead to an extension of credit, which was already too great in this country.

Lord *Ellenborough* said, he would always guide himself by the analogy of the ancient law of the land, which, down to this period, had cautiously abstained from the sale of real property for the payment of debts. He concurred in the objection made respecting the Bill, as suggested by his noble and learned friend on the woolsack.

The question was then put, that the Bill be now read the third time, which was negatived without a division. On the motion of the Lord Chancellor, it was then ordered to be read a third time that day three months.

## HOUSE OF COMMONS.

*Monday, July 18.*

MESSAGE FROM THE PRINCE REGENT, RESPECTING A VOTE OF CREDIT.] The Chancellor of the Exchequer presented the following Message from the Prince Regent:—

"The Prince Regent, in the name and on the behalf of his Majesty, considering that it may be of very great importance to provide for such emergencies as may arise; and relying on the experienced zeal and affection of the House of Commons, trusts that this House will enable him to take such measures as the exigency of affairs may require. GEORGE, *P. R.*"

The Message was referred to a Committee of the whole House.

COPY-RIGHT BILL.] The order for taking into further consideration the report of the Copy-Right Bill, being read,

Mr. *Wynn* said, that he felt some difficulty upon the subject of this Bill. At all events, he could not help expressing his regret, that no provision was made to prevent any of the Universities from selling the books with which they might be furnished in consequence of the measure. This regret he was induced to express, from a hint which had been thrown out, that some of the Scotch Universities were likely to sell new works, with a view to apply the produce to the purchase of old and foreign books, for the supply of their libraries.

Mr. *W. Dundas* bore testimony to the character of the Scotch Universities, asserting the improbability of the intention stated by the learned gentleman.

Mr. *Croker* spoke in favour of the University of Dublin.

Mr. *J. P. Grant* observed, that it appeared a great hardship upon booksellers, that they should be obliged to furnish gratis, to the public Libraries and Universities, the eleven copies mentioned in the Bill.

Mr. *Croker* proposed a clause, which he deemed necessary to rescue, from great inconvenience, the publishers of Ireland and Scotland, namely, to provide that the delivery of a copy of any work to any public Library or University in Ireland or Scotland, entitled to receive it, should be deemed equivalent to a delivery of the same to Stationers'-hall in London.—Agreed to.

Sir *E. Brydges* gave notice of a motion for to-morrow, for an amendment in the Bill to extend further the period of Copyright. A verbal alteration was made in the Bill, upon the motion of sir J. M'Intosh, with regard to the Scotch Universities. The Amendments being gone through,

Mr. *Wynn* spoke against the delivery of books gratis to the several Universities, as the Bill directed, for this he conceived an unjust tax upon authors and booksellers. As to the argument, that the delivery of these books was advantageous to the booksellers, by rendering the work better known, he thought that quite a fallacy. Indeed, if it were just, he should suppose that every publisher would be forward to make a present of his work to every circulating library. Certainly, through such libraries a new work would be more likely to become known, and to obtain purchasers, than through the University libraries. But he presumed to think, that the booksellers would be hardly inclined to adopt such a project for advertising and disposing of their works. Recurring to the supply of the Universities, he was of opinion, that a sum should be rather granted from the public purse to enable them to purchase new works, than to impose upon publishers the tax proposed in this Bill. The sum for that purpose need not, in his judgment, exceed 2,500*l.* a year, to all the Universities; and surely such a sum ought rather to be allowed, than enact the provision of this Bill, which was calculated to discourage the exertion, by reducing the reward of talent and science. The hon. gentleman observed, that the funds of several of the Universities were amply sufficient to purchase books, without any public grant, or any tax upon literary industry. For instance, he knew that the University with which he was connected (Oxford) felt no solicitude whatever upon the subject. He also observed, that one copy of every new work might suffice for the two public libraries of Edinburgh, and one also for the two public libraries of Dublin, to each of which this Bill provided that a copy should be sent. Thus publishers were unnecessarily taxed and, when the very high price of some works was considered, the amount of this taxation might be easily appreciated The hon. member concluded with expressing a hope, that the discussion of this measure would lead to the adoption of some plan next session, which should be more conducive to the advantage of the Univesities, and to the general interests o science and literature, than any Bill of thi nature was ever likely to do.

Mr. *Giddy* expressed his entire concurrence in the general observations o the hon. gentleman, particularly in th wish and hope that, in the next sessio some pecuniary provision would be mad from the public purse, to supply th public libraries with new books, and thu to relieve the booksellers from the hardships of which they complained.

Mr. *W. Smith* thought the Universitie ought to relinquish the petty advantag which the clause under discussion, proposed to secure to them; for it was comparatively of little value to them, while by levying a tax upon publishers, it was too likely to form a serious impediment to the promulgation of knowledge. He happened to belong to a society, which subscribed to procure the publication of the very valuable productions of Mr. Smeaton, the celebrated engineer, and it was found that the bookseller could not sell a copy at less than seven guineas and a half. Now he submitted to the candid consideration of the House whether eleven copies of such a work did not form rather too serious a deduction from the profits of those for whose immediate benefit the work was published; and also whether such a deduction was not peculiarly calculated to impede the progress of knowledge? Such a tax upon literary industry would not, he hoped, be allowed to survive the next session, for its existence was evidently onerous upon publishers; while it was really degrading to the parties benefited by it, and materially injurious to the interests of the public.

Mr. *Horner* thought that a very limited view had been taken of the advantage resulting from the grants to Universities, which formed the subject of discussion. For through these grants, with the supply of books which the several public libraries possessed, authors of every class were enabled to find, at such libraries, all the materials of knowledge. Thus the interests of literature were promoted, and authors derived from the public libraries a degree of advantage which much more than counter-balanced any diminution of profit they might sustain by supplying each with a copy of their productions. As to what had been said respecting the very high price of books, he really believed, that in most cases, that high price was the result much more of ornament than utility—of extrinsic decoration and mere binding than of intrinsic merit; and that too many booksellers were now become rather furniture brokers than the ministers of literature. He had himself witnessed a striking example of this taste. It was notorious that the works of Grey might be bought for one shilling; but he had lately seen at a bookseller's a work entitled the "Remains of Grey," comprehending nothing else than that author's common-place book, which neither he himself, nor his executor, Mr. Mason, ever thought worth publishing. This book, however, was now printed on superior paper, splendidly bound and decorated, and published at no less than seven guineas each copy. Could it then be deemed a great grievance, or a public injustice, if a bookseller were obliged to dispose of eleven copies of such a work gratis?

Mr. *Marsh* said, if he had been present in the Committee on this Bill, he should certainly have felt it his duty to move the omission of that clause which went to give to the Universities eleven copies of all books published in the United Kingdom. He did not enter the House in time, or he should have presented a petition from a gentleman connected with the East India House, named Fisher; who, it appeared, had travelled all over Great Britain, for the purpose of collecting specimens of painting, architecture, and the arts, for the purpose of hereafter publishing them with plates and illustrations; but who, having finished his work with respect to one county only, that of Bedford, was deterred by the great expense of the work, and the necessity of presenting the Universities with eleven copies of it, from proceeding further. This was a proof of the disadvantage which arose from the existence of such a law; and he had no doubt that many other instances, of a similar nature, might be cited. He contended, that such a privilege was a relic of barbarous times, inconsistent with the liberal spirit of the present age, and ought to be done away with.

Mr. *Croker* conceived, that all authors must be proud of contributing to the supply of those great reservoirs of literature, which enabled so many of them to write for the public advantage, and their own credit. Therefore he could not subscribe to the objection urged against the proposed grants to the several public libraries; and as to the booksellers, they could not suffer by those grants, for they would always take care to make the consumer or purchaser of their books pay every tax to which they might be subjected. There was no reason, indeed, to apprehend that these gentlemen would ever fail to take care of their own interest.

Mr. *Marsh* explained, that when he called the privilege in question a relic of barbarous times, he meant that it originated in times not very favourable to property or liberty, namely, in the reign of Charles 2, and was, he believed, an act of regulation and police to restrain the liberty of the press.

Sir *Egerton Brydges* was against the Bill. An hon. and learned gentleman had mentioned, as an instance of the modern abuses of the art of book-making, that though all the works of the immortal poet Grey were to be had for a shilling, the booksellers had lately got up two quarto volumes of his remains, the price of which was seven guineas. Now, if all that was good was to be had for a shilling, there was no great evil in refusing the Universities those two quarto volumes which cost so much, and were worth nothing.

Mr. *Smith* spoke in favour of the grant to the Universities, and considered that provision in the Bill, as essential to the interests of those institutions.

The Amendments were agreed to, and the Bill was ordered to be read a third time to-morrow. Mr. Marsh then presented the Petition, to which he alluded, in the course of his speech, from Mr. Thomas Fisher, which was read, and ordered to lie on the table.

## HOUSE OF LORDS.

*Tuesday, July* 19.

The Princess Charlotte of Wales.] The Duke of *Sussex* rose and said: My lords, I confess, I rise with a considerable degree of embarrassment, not unmixed with a certain degree of anxiety, on the very important and interesting occasion on which I am about to address you. I shall not, therefore, detain your lordships, further than the expression of my hope, that the noble earl opposite, will satisfactorily answer those questions, which I think it my duty, under the circumstances of the case, to put to the noble earl. I confess, my lords, that in putting these questions, my wish is to be considered as doing it perfectly distinct and separate from any party question whatever; that I do it purely from my own feelings of duty, and unauthorised by any individual whatever. The questions, in one sense, am aware, are put under very awkward circumstances, though relative to an event known to most of the noble lords who hear me, and respecting which I may not concur in opinion with other persons who have been consulted, but for whose conduct, I entertain every possible respect. I hope, my lords, I may be allowed to put the following questions; but if any noble lord feels any difficulty in my putting them now, I am ready to reserve them for any opportunity that may arise, in consequence of the application of the standing order.

After a short pause, the illustrious duke proceeded.—I wish to know, from the noble earl, in the first instance, whether, since the removal of her royal highness, the Princess Charlotte of Wales, to Carlton-house, her Royal Highness has had that degree of communication with her friends and connections, which her Royal Highness had, previous to her leaving Warwick-house?

After a short pause—If the noble lord does not choose to answer this question, I shall, of course, know how to take it. But I again ask the noble lord, if her royal highness the Princess Charlotte has had the same degree of communication with her friends and connections, since her removal to Carlton-house, that she had while she remained at Warwick-house?

I next wish to ask the noble earl, If her royal highness, the Princess Charlotte of Wales, since her removal to Carlton-house, has had the liberty of that communication in writing, and by letter—of receiving and sending letters—and the use of pens, ink, and paper—that she had while at Warwick-house?

I have next to ask, Whether her royal highness, the Princess Charlotte of Wales, is, since her residence at Carlton-house, in that state of liberty, which persons considered not as in confinement, ought to be in?

The fourth question I have to ask is, Whether, in the course of last year, her royal highness, the Princess Charlotte of Wales, was not recommended, as proper for the state of her health, the use of the sea-bath; and, whether it is not understood, that the same has been recommended to her Royal Highness this year?

The fifth question, my lords, is, Whether her royal highness, the Princess Charlotte of Wales, having arrived at the age of eighteen years and a half—past the period when parliament has frequently recognised the capacity of persons of the royal family, to assume the government of the country without assistance—whether there is any intention of providing an establishment suitable for her Royal Highness, and proper for her to live and appear according to her due rank in that society, over which, I hope, it will be her lot one day to reign?

The Earl of *Liverpool*. My lords, it is perhaps my duty to apologise to your lordships, for even making any observations upon the questions put by the illustrious duke. There can exist no doubt, my lords, in many cases, that advantages may result, in putting questions upon subjects of great public importance—of great political and national moment—to the ministers of the crown. But I leave it to your lordships, to feel, and to consider, whether, upon a subject of the peculiar nature of the present, the questions put, are questions, which ought to be answered. Upon your judgments, and upon your feelings, I will most willingly and freely rest the decision. My lords, the Prince Regent, as acting in the name, and on the behalf, of his Majesty, is the father of the royal family, and he has the exclusive right, to regulate the education, not only of his own children, but of the other children of the royal family, if there were any. I ask, my lords, what instance is there of parliament having interfered in a proceeding of this nature? Without entering into possible or extreme cases, I wish to know, my lords, what ground the illustrious duke has laid, for any parliamentary interference, or proceeding, upon this case, or that should induce us to concur in any. I am sure, my lords, that in the exercise of his legitimate right, the Prince Regent has adopted no regulation, with respect to the Princess Charlotte, that has not for its object, and for its view, her Royal Highness's own benefit, interest, and advantage; and that his feelings towards her, are purely those of a sovereign and a father; feelings and duties which are not only impressed upon him by nature, but imposed upon him by the laws of the country. And, I trust your lordships will believe, when you come to consider, that, under circumstances like the present, the great person whom I may allude to, would be very far from concurring himself in any act, with respect to the illustrious personage in question, but upon the fullest sense of its contributing to her happiness, her comfort, and her honour. And, I think, my lord, I should not discharge my own duty, or consult my own feelings, or the sense and feelings of the House, if I added another word more.

The Duke of *Sussex* disclaimed, in what he had said, the least idea of expressing any thing disrespectful towards the illustrious person alluded to. But, as he was not satisfied with what had fallen from the noble lord, he felt it his duty to give notice, that on Friday next, he should make a motion on the subject. His Royal Highness then moved, that the Lords be summoned for Friday next.

The *Lord Chancellor* said, he could not give a silent vote upon this occasion. The illustrious duke had said, he meant not to say any thing disrespectful towards the great person alluded to. He was persuaded his Royal Highness did not. But he must take the liberty of saying, that if his noble friend had answered the questions put to him, under the circumstances of the case, he could not do so, without being guilty of a breach of his duty, in the opinion of any man upon earth. He would have betrayed his duty to his sovereign; and, he would tell his noble friend, that, if he had answered the first part of these questions, he (lord Eldon) would never have conversed again with him. What was meant by the question, Whether the illustrious person referred to, was allowed the same sort of intercourse with her friends and connections, (it might as well have been said, with her enemies), while living under the roof of her royal father? Could that be said not to be an imputation? But he must look upon it as an animadversion upon the ministers of the crown, with reference to supposed advice. He would then only say, that the great person alluded to, had the exclusive right to direct the education of his child, and that no man had a right to interpose; and a very strong ground, indeed, must be previously established, to warrant the interposition of parliament, with respect to advise so given and followed. And, with reference to the whole of the conduct of the great person alluded to, towards the illustrious personage in question, he had the satisfaction of being able to state, in the face of the country, that he, at least, was deserving of the applause, and not the censure of mankind.

The Duke of *Sussex* shortly explained, that, whatever remarks he had made, might be construed into an animadversion upon the conduct of ministers upon the occasion; but, that he did not conceive it possible, to construe what he had said, in the way of disrespect towards the great person alluded to.

Their lordships were then ordered to be summoned for Friday.

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## HOUSE OF COMMONS.

*Tuesday, July 19.*

POST-OFFICE PACKETS.] Lord *Nugent*

rose to make the motion, of which he had given notice, relative to certain papers, which he wished to have laid before the House, in consequence of certain proceedings which had taken place in the department of the Post-office. It appeared, from the statement of the noble lord, that, in November last, two packets, bound for the Brazils, viz. the Montague, commanded by captain Norway, and the Lady Pelham, commanded by captain Perring, fell in with, off the island of Madeira, an American privateer, called the Globe, and were both brought to action with her. Captain Norway, being the senior commander, ordered the Lady Pelham to attack in such a manner, that it was upwards of ten minutes, before she could bring her guns to bear on the Globe, without, at the same time, firing into the Montague; and, during that time, the Montague was so roughly handled by the privateer, that captain Norway was killed, and Mr. Watkins, the master, who succeeded to the command, was so apprehensive that she would be taken by the Globe, that he deemed it proper to throw the mail overboard, and sink it. In the mean time, the Lady Pelham, having got into a proper situation, opened her fire on the Globe with so much effect, that, after about forty minutes hard fighting, captain Perring obliged the privateer to sheer off, and saved the Montague from being taken. That, during the action between the Lady Pelham and the privateer, captain Perring was very severely wounded, and disabled, for a considerable time, from doing any duty whatever. His lordship then stated, that Mr. Watkins had, immediately after the engagement, written home to the Post-office, and had stated, that he had been attacked by the Globe, and had repulsed her after the death of captain Norway. That the Post-office had, in consequence of such representation of Mr. Watkins, promoted him to the rank of commander of that regular packet, which gave the rank of commander in the navy. In the mean time, captain Perring proceeded to the Brazils with the Lady Pelham, and safely delivered the mail that was on board of her. On the return of captain Perring to England, as soon as he found what had taken place, he made his representations to the Post-office, stating the facts which had happened, and a court of enquiry was appointed, to investigate the business; and by this court of enquiry, which was guided solely by *ex parte* evidence, Mr. Watkins was acquitted; but, on the remonstrance of captain Perring, and the production of the affidavits of the whole crew of the Lady Pelham, a second court of enquiry was held, which, after hearing evidence, censured Mr. Watkins, and exculpated Mr. Perring from all blame whatever, and determined, by their judgment, that, if it had not been for the exertions of the Lady Pelham, the Montague must have fallen into the hands of the privateer. Nevertheless, the Post-office persisted in supporting the promotion of Mr. Watkins, and had refused, to every application of captain Perring, the correspondence which had passed on the occasion. This was not a case of a trifling nature, but one in which the characters of a gallant officer, and a brave crew, were deeply interested; and, he thought, there was great reason to complain of the justice of the Post-office, in holding a court of enquiry at a time when captain Perring, from his wounds, was not able to attend. His lordship concluded by moving, "That there be laid before this House, a copy of the reports of the two courts of enquiry, together with the correspondence relating to an action fought on the 3rd day of November last, (off Madeira), by his Majesty's packets, Lady Mary Pelham and Montague, with the Globe American privateer."

Mr. *Lushington* said, he did not rise to oppose the motion, but to assure the noble lord, that when the documents were produced, the conduct of the captain, who was the object of complaint, would appear in a light most materially different from that in which he had viewed it. The throwing of the mail overboard was always justifiable when a packet was in danger of being captured; and this danger appeared to have arisen from the other vessel hanging back.

Lord *Nugent* denied, that he had made the throwing over of the mail a ground of complaint against captain Watkins.

Mr. *Preston* pledged himself, that captain Perring's conduct would be found to have been of the most honourable and praise-worthy nature. From his personal knowledge of him, he would venture to say, that no man was likely to be less liable to reproach; and he hoped, the enquiry would do ultimate justice to the injured.

The motion was agreed to.

LORD COCHRANE.] Lord *Ebrington* rose and said, that before he proceeded, in pursuance to his notice, to address the House, he should beg leave to read to them a letter which he had received from lord Cochrane. His lordship then read the following letter:—

"*King's-bench, July* 13, 1814.

"My Lord; Although I claim no right to interfere with the parliamentary conduct of any member, or to interfere with the motions which he may judge proper to originate; yet, I owe a duty to myself, which demands that I should apprise your lordship, that the motion of which you have given notice respecting me, has a tendency to bring down upon me a greater indignity than any which has been offered to me by my enemies. I had flattered myself, from a recent vote of your lordship, that, in your mind, I stood wholly acquitted; and I did not expect to be treated by your lordship as an object of mercy, on the grounds of past services, or severity of sentence. I cannot allow myself to be indebted to that tenderness of disposition, which has led your lordship to form an erroneous estimate of the amount of punishment due to the crimes of which I have been accused; nor can I, for a moment, consent, that any past services of mine should be prostituted to the purpose of protecting me from any part of the vengeance of those laws against which I, if at all, have grossly offended. *If I am guilty, I richly merit the whole of the sentence which has been passed upon me; if innocent, one penalty cannot be inflicted with more justice than another.*

"If your lordship shall judge proper to persist in the motion of which you have given notice, I hope you will do me the justice to read this letter to the House.—I have the honour to be my lord, your obedient humble servant.

(Signed) COCHRANE."

Lord Ebrington then continued. He disclaimed any private or personal considerations in bringing forward his motion. The letter which he had read, and his answer to it, was the only correspondence which had ever passed between himself and the noble lord. If he had consulted lord Cochrane previously, he should not have given his notice; if he had acceded to the wishes of lord Cochrane, he should subsequently have withdrawn it; but, notwithstanding the letter of the noble lord, he felt himself compelled, by a sense of public duty, to bring the subject before the House. He had hoped that some one, better qualified than himself, would have originated the question—some gentleman on the other side of the House, backed by the weight and authority of his Majesty's ministers, or that those ministers would have rendered the motion altogether unnecessary, by a spontaneous advice to the crown, to remit the ignominious part of lord Cochrane's sentence.

He should avoid mingling with the discussion, the subject of the debate of the former night, however he might be convinced that the decision of that night was erroneous; and that the doubts respecting the guilt of lord Cochrane, required to be examined before the sentence of expulsion was pronounced. The House, however, had decided on that point, and he should give no opinion on the guilt or innocence, but attempt to persuade the House to bear testimony to his eminent services, by expressing their sense of the severity of the sentence passed on him. Before he should proceed to the particular circumstances of lord Cochrane's case, he could not but observe on this punishment of the pillory in general, that it was a disgrace to the enlightened age in which we lived; for it withdrew the individual subjected to it from the protection of the laws, and made the populace at once his judges and his executioners. So that, at one time, it was a scene of mockery and triumph; at others, a punishment equivalent to a cruel death. They would all remember the horrid scenes of the last year, on the occasion of punishments of this kind; and though the crimes of the wretches who suffered, might deprive us of our compassion, it was bad in principle to inflict cruel torture where the law professed only to inflict exposure and disgrace. This punishment, he was happy to find, however, was by no means frequent; for he saw, from the returns on the table of the House, that in the three years since 1811, in all the counties except Middlesex, it had been inflicted but twice, and that in the cases of crimes similar to those which he had before alluded to. But would the House consent, that lord Cochrane should be associated with wretches such as these? But it would be said, that conspiracy carried with it such a punishment. He found, however, that others had been punished for the same crime by trifling fines and short imprisonments. Why, then, was the law to be strained to inflict the most degrading punishment on a man, who, whatever had been his conduct on a recent occasion, had contributed more, perhaps, than any man of equal rank in the honourable profession in which he had been engaged, to raise and establish the glory of the British arms? It would be needless and tedious for him to relate the whole of the noble lord's exploits, but he would mention one of them, which would be sufficient; the El Gamo, a Spanish ship of 38 guns, which was taken by his lordship in 1801, in the Speedy, a vessel of 14 guns only.

Lord Ebrington then desired the clerk to read the vote of thanks of January 10, 1810, to the officers employed in the gallant affair of Basque-roads, which bestowed great praise on lord Cochrane's conduct, for the destruction of the fire-ships. The vote having been read, lord Ebrington continued: such was the praise which lord Cochrane received on that occasion; and he had, moreover, received the order of the bath. When the noble lord was struck off the list of the navy, deprived of his ribbon, and condemned to the pillory, could it be said, that the punishment on him was not greater than on Butt or De Berenger? As to the rule of court which had prevented the noble lord from obtaining a new trial, it was most unjust; as what could be more essential in the case of a conspiracy, than that there should be facilities afforded to distinguish between the guilt of the different parties? But to return to the sentence: when the extent of it had been executed on Butt and De Berenger, they might return to their former obscurity; and, by removing their residence, regain all the respectability in society which they had lost. It had been said, that the law had no respect for persons; but, before he could allow any weight to this principle, he must see how it had been carried into effect. On a late occasion, a noble marquis (Sligo), who had been condemned for seducing sailors from his Majesty's navy, had been sentenced to a fine, slight, considering the wealth of the person, and a short imprisonment. It might be said, that the two offences were not parallel, but certainly there was no kind of proportion between the crimes and the punishment in the two cases. After a short period of imprisonment, the noble marquis returned to the world without any other diminution of his honours than might arise from the view which society took of his conduct. But lord Cochrane was deprived of his rank and his marks of honour,—all that he had been labouring for years to obtain—all that his country had given him had been taken away. He had accumulated honours to aggravate his punishment,

——————— Numerosa parabat
Excelsæ turris tabulata, unde altior esset
Casus, et impulsæ præceps immane ruinæ.

The noble lord stated two instances in which the House had addressed the crown, praying the exercise of its prerogative of mercy, with regard to sentences pronounced by courts of law; and thus he had to offer precedents in support of the reasons, which he had urged for the interposition of the House upon this occasion. He trusted, that he had throughout kept clear, as he promised, of the question respecting the guilt or innocence of lord Cochrane. Still, in the proposition which he had to submit, he anticipated the support of all those who had any doubts upon that question. Those who believed lord Cochrane innocent, would of course vote for his motion; and from even those who believed the noble lord guilty, he calculated upon support; because he hoped they would think the punishment too severe for the offence, and especially objectionable, when applied to lord Cochrane. Indeed, he thought the punishment of the pillory altogether exceptionable, and upon that ground alone, he would expect the acquiescence of every humane and thinking man in the motion which he proposed to submit to the House. For himself, he declared, that he always considered the punishment of the pillory as bad on all occasions, but as peculiarly bad in the case to which his motion referred. The noble lord concluded with moving, "That an Address be presented to the Prince Regent, praying, that his Royal Highness would be graciously pleased to remit the ignominious punishment of the pillory, included in the sentence passed upon lord Cochrane, in consequence of the distinguished services of that noble lord."

Lord *Nugent*, in seconding the motion, said, that he felt it would be superfluous to add much to what had been so ably urged by his noble friend. He felt, with his noble friend, the propriety of abstaining from the question which had been decided by the House on a former evening, and of confining the scope of this discussion to the question, whether the pillory was a proper punishment in any case, and whether it was applicable to the case referred to in the motion. In his judgment, it was impossible, in considering the latter question, to exclude the character of lord Cochrane. For it was the uniform practice of the courts below to take into account the character of the prisoners, in measuring the amount of the punishment. Why, then, should not that House pursue the same course upon this occasion? The appeal in favour of lord Cochrane, did not appear in any whining shape of intreaty, or in the mere assertion of the noble lord's innocence by himself, or others, but it rested upon the solid ground of high character, established by eminent services. For this character, indeed, the House had only to look to the brightest pages of our naval history, and there the services of lord Cochrane would be found among the most conspicuous. It was most lamentable to find the noble career of this gallant officer so cruelly stained; but still he trusted, that the fountain of mercy would recollect the claims which the noble lord had established upon the gratitude and favour of the country. Was there not, he would ask, notwithstanding what had been urged on a former occasion by the noble Secretary, a material disparity between the case of lord Cochrane, and that of the other persons under sentence? The difference, indeed, appeared to him peculiarly striking in the distribution of punishment. For instance, if a captain and a private were found guilty of a conspiracy to defraud the company of its pay, the consequence would be, he presumed, to have the soldier flogged; but he rather apprehended, that no such sentence would ever be pronounced upon the captain. As to the punishment of the pillory, he conceived it highly exceptionable, and that it ought to be abolished, because it was, in fact, impossible for any court to regulate the measure of such a punishment. It might be to some, as it was known, a mere matter of triumph; while, to others, it might prove, as it happened, a punishment little short of death—a punishment, indeed, which might consist of savage torture, inflicted by the mob, although never intended by the law. It was, in a word, a punishment which might turn out to be cruel and degrading, or the contrary, according to circumstances, wholly independent of the controul, and perhaps out of the contemplation of the judge by whom the sentence was pronounced. A punishment, then, of this extraordinary nature, ought not, he submitted, to be allowed to belong to our code, for he could not conceive a case to which it would be justly applicable. As to the assertion, or insinuation, that it was meant by this motion to inculpate the judge by whom the sentence was pronounced, he entirely disclaimed any such intention. The object of the motion, was not to condemn the conduct of the judge, but to interest the mercy of the crown, and that upon the ground of lord Cochrane's great public services. But, in addition, he could not help thinking that considerable attention was due to the fact urged by lord Cochrane, that he had further evidence to offer in his vindication; and also, to the noble lord's solemn declaration of innocence in that House, upon which he so anxiously implored for enquiry. It was upon that ground, therefore, that he felt himself warranted in thinking that the House was not justified in refusing an enquiry respecting lord Cochrane's case. With lord Cochrane personally, he declared, that he never had the slightest acquaintance; but if he even had—were he even intimate with the noble lord, that intimacy should not influence his judgment upon this case. All he had seen of the noble lord was in that House; and he had generally differed from the noble lord's propositions. But still, he observed, that although these propositions were not often discreet, they evidently proceeded from an ardent manly mind, and were always manfully supported. Upon such a man, then, he could not agree to inflict an ignominious punishment; and he really believed, that no one who heard him, could consult his heart, and say, that the punishment to which the motion referred, was not totally inapplicable to the case of lord Cochrane.

The *Solicitor General* (Mr. Serjeant Shepherd) expressed his conviction, that both the noble mover and seconder were actuated by the purest motives, that they were not influenced by any sinister or personal consideration whatever, and that their only object was public justice and truth. For himself, too, he could most conscientiously declare, that he had no other object in view than the discharge of his duty as a member of parliament; feeling himself wholly free from any animosity against lord Cochrane; having no prejudice whatever against that noble lord, private, political, or otherwise. But, as to political prejudice, he could not help expressing his astonishment that any political prejudice could have been supposed to influence the proceedings respecting lord Cochrane. He really felt it difficult to account for the existence of such a supposition. In opposing the motion before the House, he cordially concurred with those who regretted that a person of lord Cochrane's exalted birth and professional services—that a member of that gallant profession which was generally distinguished by a principle the reverse, even among the most ignorant of every sordid feeling, should have been betrayed into the commission of an offence of the most sordid character—that the noble lord should have fallen so low from his high station. But he lamented to think that those circumstances, instead of pleading in extenuation of the noble lord's delinquency, or entitling him to any preference over the other individuals to whom that sentence applied, rather operated in a different direction. For these high motives which ought to have acted upon the mind of the noble lord, and saved him from the degradation of guilt, could not be supposed in the same degree, at least, to affect the consideration of his fellow prisoners. There were cases, no doubt, in which passion might be concerned to prompt delinquency; and in such cases, former service would justly plead in extenuation. But in the case before the House, the delinquency was marked by cold iniquity, by deliberate avarice, by spontaneous meanness. Here there was nothing of passion—craft characterized the whole proceeding—and what excuse, then, could be offered for such delinquency?—what claim to lenity did it afford?—The noble seconder of the motion had urged, in support of the pretension to clemency towards lord Cochrane a case which had, in fact, no analogy. The noble lord had asked, whether a court martial in sentencing a captain and private, convicted of a conspiracy to defraud, would adjudge the same description of punishment to both—whether both would be condemned to the halberts?—He (Mr. Shepherd) would answer no—and why? because military law had ordered it otherwise. But how would the law in our criminal judicature be administered towards a captain and a private convicted of frauds? Would the punishment of the captain of superior intelligence be mitigated, and all the severity of the law be visited upon the ignorant private to whom it was the peculiar duty of the former to shew a good example, from his higher rank and better education? And here he would ask the advocates of lord Cochrane—the professed advocates for the equal administration of justice—whether they would desire, that the high in birth, the noble in rank, or the affluent in circumstances, should commit that crime with comparative impunity, which should meet the utmost severity of the law, when perpetrated by the poor? He would also ask the advocates of lord Cochrane, whether, bearing in mind the case quoted by the noble seconder of the motion, they would have our courts of criminal jurisprudence governed by the principles of martial law? The whole of the circumstances pleaded in favour of lord Cochrane, were, he had no hesitation in saying, precisely such as ought to produce a different impression. This, however, he urged without any reference to the mercy of the crown, of which he could know nothing. But, he felt fully persuaded, that lord Cochrane had no better claim to that mercy, to say the least of him, than the others connected with him. Although the motion claimed mercy towards lord Cochrane, on the ground only of his professional services, he remarked, that the noble lords by whom it was supported, had thought proper in their speeches, to refer to other grounds of extenuation: first, with regard to the rule of court, so often alluded to; and secondly, with regard to evidence withheld upon the trial. Several circumstances had also been adverted to, arising out of the noble lord's speech in the court of King's-bench, and his address to that House, with a view, obviously, to induce a belief of lord Cochrane's innocence. But, upon this point, he was sorry to be obliged to declare a directly opposite impression. He, indeed, felt it his duty to make this declaration, as a member of parliament, which declaration he should make were he merely a member of that House, without being, in any degree, an officer connected with the government, or the administration of the law. Having read, and attentively examined the report of the trial, including the evidence, the address of the counsel on both sides, and the charge of the judge, he declared before God and the country, he should have felt himself bound, were he on the jury, to find lord Cochrane guilty, were that noble lord his own brother. In looking at all the circumstances of the case, he was really astonished at the existence of expression of any doubt upon the subject. When it was found from the evidence, that De Berenger, of whose identity, as Du Bourg, no one could possibly entertain a doubt, had, upon his arrival from Dover, gone directly to the house of lord Cochrane, clothed in the very coat of his imposition, in which coat the noble lord, had he been there at the time, must have seen the impostor; it could not be presumed, that De Berenger would have gone there so dressed, if lord Cochrane had not been aware of his purpose. Was it credible, that De Berenger would have gone to lord Cochrane's house without an understanding—without being conscious and certain, that the noble lord was apprised of the transaction in which he had just been engaged? Indeed, if he were not so conscious, lord Cochrane's house was one of the last places to which he would have gone, particularly in the garb which he wore, according to the evidence. And, here he had to notice a most important fact in the evidence of the hackney-coachman. This witness, in his examination in chief, deposed to the identity of De Berenger; and it was through mere accident, in the subsequent examination, that any evidence was obtained from him as to the nature of De Berenger's dress. Being asked, whether he could undertake to recollect every person who got into his coach, he answered "No," but that the red coat which Berenger wore, drew his attention, and made an impression upon his memory. Thus, this answer, coming naturally and unartificially from the witness, had all the characteristics of truth about it. Then, when lord Cochrane found De Berenger at his house, was any thing more natural, than that he should have deemed his appearance suspicious, and asked, had he himself been innocent, what he (De Berenger) had been about? But the fact was, that, had not lord Cochrane been guilty, De Berenger would never have attempted to put himself under his lordship's protection; nor would he have solicited a place of refuge on board lord Cochrane's own ship. De Berenger also, as it appeared from lord Cochrane's own affidavit, solicited a hat from the noble lord to put on in place of his seal skin cap; and here, he would ask, was not the learned judge's comment perfectly just, that the noble lord, seeing De Berenger so altered, should have questioned him as to what he had been about; and would not every reasonable man think that a probable question, had not lord Cochrane been himself implicated in the transaction? His surprise, indeed, was, that any man in the habit of examining probabilities, could, in viewing every part of the case, find any justification or excuse for doubt, as to the guilt of lord Cochrane.—With respect to the noble lord's address to that House, it involved, as had been before justly observed, rather an attempt to criminate the court by which he was tried, than to vindicate himself. Nay, more, if that address were attended to, a most formidable conspiracy, indeed, existed against the noble lord, of which conspiracy the judge and the jury were, concontrary to their solemn oaths—contrary to oaths quite as solemn, and he presumed, as credible to the noble lord's own voluntary affidavit—were the prominent members. But the noble lord's statement would extend to conspiracies much further. For it seemed, truly, that not only were the judge and jury partial, but the noble lord had not been well defended. His counsel had neglected his case. Now, he (Mr. Shepherd) could not, he confessed, forbear expressing his surprise at this extraordinary charge, particularly when he looked at the names of the counsel who acted for the noble lord, whom he knew to be some of the most able and eminent in the profession; and among whom was one, at least, it was impossible to suspect of any relaxation of effort from the influence of party spirit, against the noble lord [alluding to Mr. Brougham]; was it credible, then, that such distinguished men would abstain from any exertion, or agree to stultify themselves, with a view to prejudice the case of the noble lord? Who were the attornies of the noble lord, he had only learned within a few days, and he himself knew them to be two as respectable men as belonged to the profession, or to any other profession whatever. By these gentlemen, who, be it remembered, did not act for any of the others accused, but for lord Cochrane solely; the noble lord's brief was drawn up according to the instructions they had received, and nothing could be more improbable, than that such agents would draw up this or any brief carelessly. It was notorious, that the utmost confidence prevailed between the counsel, the attorney, and the client. Therefore, what the attorney stated to the counsel, in this case, he could not know; nor would he know it if he could. Indeed, if all the briefs and confidential statements upon the subject, had been laid on his table, he would not look into them; on the contrary, he would fling them away, for he never could persuade himself to invade professional confidence. But this, without any such invasion, he could state as a positive fact, that all the instructions upon which the brief was drawn up, were received from lord Cochrane himself; and that the brief, after it was drawn up, together with the statements of the witnesses by which it was proposed to sustain it, were read over by the noble lord, by whose suggestion a correction was made in it. Yet this noble lord, in the court of King's-bench, but especially in that House, had spoken in a high tone of confidence, that he truly had given no instructions to his lawyers—that he had never read his brief—nay, that he had been totally careless about the conduct of his defence, so much, indeed, did he rely upon the consciousness of his innocence! Whether the House would, under all the circumstances of the case, deem it proper to exercise its prerogative of mercy towards the prisoner, he was not prepared to say; but he deprecated the idea of calling upon that House to interfere with the exercise of that prerogative. Whether the conduct and statement of the prisoner, or his professional services—which, by the way, had been very well rewarded—were such, as to entitle the noble lord to the peculiar interposition of that House in his favour; or whether he had not fallen much lower, in consequence of these considerations, were questions which he could have no difficulty in deciding. Then, as to the pillory, if it were desirable to abolish that species of punishment altogether, as the two noble lords on the other side contended, let that abolition be decided by parliament. But it must be recollected, that the acquiescence of another assembly, as well as that of the House he had the honour to address, was essential to that decree. Such a decree could not be concluded by that House alone, and he had a very strong objection to any interference of the House with that jurisdiction, which had, in the case under consideration, only exercised its legitimate authority, in ordering a punishment, which, from the earliest times, the law had annexed to the crime of conspiracy, of which the subject of the motion had been convicted.

As to the observations made upon the rule of court, of which lord Cochrane complained, the fact was, that the rule, in no degree, stood in the way of the noble lord's vindication; on the contrary, he was, upon the day he was brought up for judgment, afforded all the opportunity he could desire, of stating the grounds upon which he demanded a new trial, and he was heard with the utmost attention by the court, from which he received this rational answer:—"You have stated no grounds, upon which, consistently with the practice of the court, or the principles of justice, we can adjudge a new trial." And this, surely, was a just answer; for, upon what principle should any person be allowed to avail himself of after thoughts, as to the production, or examination of witnesses, whom he had it in his power to produce and examine on the trial? If, indeed, such a practice were allowed, the consequences would be obvious. The accused might intentionally withhold testimony on his trial, with a view to make an experiment as to the evidence for the prosecution; and then, if he failed, he might come forward to try his hand again. In fact, if such a practice were tolerated, no one could say, where it would end, or to what mischiefs it might lead. But to return to the rule of court—he repeated his opinion, that it, in no degree, operated against the noble lord; and, therefore, that rule, which he was by no means prepared to admit, was not founded in wisdom, although he did not, on the present occasion, think it necessary to argue its merits, could form no reasonable ground of complaint on the part of lord Cochrane.

The learned gentleman repeated his objection to any interference of the House with the prerogative, or, what he called, the jurisdiction of the crown, in the exercise of mercy. Such an interference, indeed, he could not deem wise, or, he would even add, constitutional. Those who had the peculiar privilege of advising the crown, would, no doubt, take into consideration all the circumstances which could make in favour of lord Cochrane, and the other prisoners; and, he had no idea, or wish, that any observations he had felt it his duty, as a member of parliament, to address to the House on this occasion, should operate against the extension of mercy to the noble lord. His object was, to deprecate the interposition of that House upon the subject, in the shape of an address to the crown; and with that view, he had endeavoured to shew, that even if such interposition were frequent, the case of lord Cochrane was by no means deserving of it; particularly considering the conduct of that noble lord in his attempts to criminate the whole administration of our public justice —to fix the charge of perjury upon those, whose oaths of office were, at least, entitled to as much credit as the noble lord's voluntary affidavit or statement, which had, in fact, been completely falsified in all its material points. The learned gentleman concluded, with expressing his opinion, that no argument whatever had been adduced to sustain the motion; and, therefore, he must give it his solemn dissent.

Mr. *Barham* was of opinion entirely different from the learned gentleman who had just sat down, and he would express that opinion as decisively, though not so loudly, as the learned gentleman had done. He felt convinced, that this was a fit opportunity for the House to interfere in behalf of lord Cochrane, a part of whose punishment did not seem to be called for. He, too, had read the report of the trial, and the evidence, with all possible attention; and he declared it to be his firm conviction, that lord Cochrane was perfectly innocent. It had not been fully proved, at least, to his mind, that Berenger had gone to the house of his lordship with his privity, or, that he was expected there; and the way in which this was attempted to be proved was unsatisfactory. He thought it was not proved, that lord Cochrane had seen him, or would have seen him, in the dress which he was stated to have worn as De Bourg. Satisfied that he was not guilty, he, though never before acquainted with lord Cochrane, had, after reading the trial, introduced himself, to inform his lordship, that he was convinced of his innocence; and to ask, if he had any objection to explain one or two points, which appeared, in some degree, doubtful. His lordship had said, the greatest favour any one could do him, was to give him an opportunity of explaining what might appear to him of a doubtful nature. It was under such circumstances, that he had contracted an intimacy with lord Cochrane, which would continue as long as he lived. He wished that part of the motion to be omitted, which prayed that the punishment of lord Cochrane, by the pillory, might be remitted, "in consideration of his past services." He wished the motion to pray, that that part of the sentence might not be carried into execution, without stating on what grounds their prayer was founded. The hon. member concluded, with proposing an amendment, omitting the last sentence of the motion; for gentlemen might vote for the motion on different grounds; some, because they thought lord Cochrane innocent; others, because they thought his case was doubtful, and not fully examined; and others, in consideration of the noble lord's professional services.

Mr. *Wrottesley* observed, that the noble seconder of the motion had said, that those who, on a former night, had felt any doubt of the guilt of lord Cochrane, were bound to vote for the Address. He was of a different opinion; and begged to state, what were the reasons which influenced his vote, on the occasion alluded to, and why he should, that night, oppose the motion before them. Lord Cochrane, in the statement he made in that House, had asserted, that the judge, in summing up, had given that to the jury, as proved in evidence, of which no proof had been given; namely, that De Berenger had gone to him, blazoned in the costume of his crime. Had it turned out that the judge, in summing up, had made any material mis-statement, this was a circumstance which would have had great weight with many. He had since read the trial with as much attention as he could read any thing, and the effect of it on him was to re-establish that conviction, which he had at first had of lord Cochrane's guilt. De Berenger had been traced from Dartford in the costume of his crime. Every witness had spoke to the star, &c. which he wore till he arrived in London. The waterman who saw him into the coach did not mention the star, but he stated his coat to have been red; and Crane, the hackney-coachman, had most distinctly sworn to its having been of that colour. Now, if it was not asserted by these witnesses, that they saw the star and order, sworn to by others, as they had given evidence to the colour of his coat being red, he thought it of little importance that they had not mentioned the star, &c. and considered lord Cochrane to have greatly overstated the conduct of lord Ellenborough, in his description of that noble lord's summing up. Here he read part of lord Ellenborough's address to the jury; from which, it appeared that he had said, "*if* they believed he had gone to lord Cochrane's in the dress, and with the insignia described, they must find his lordship guilty; but on this, he added, it was for them to form their own judgment." He thought the colour of his coat having thus been proved to be red, justified his lordship in the direction which he had given the jury; and, for himself, after giving the evidence the most attentive perusal, he was sorry to say it, but, with the Solicitor General, he must declare that, had he been on the jury, he could have given no other verdict than guilty. With respect to the motion before them, he certainly thought the present was not a case in which that House was called upon to interfere, and should therefore vote against it.

Lord *Archibald Hamilton*, from his knowledge of lord Cochrane, was much disposed to believe him totally innocent. It was possible for all those circumstances to have occurred, which had been stated to bear against lord Cochrane, without his being guilty. If he could believe the noble lord capable of making the statements he had made, knowing them to be false, from the evidence given on the trial, he should, in that case, consider him guilty of the offence of which he had been convicted; but, not believing him capable of such falsehood, he must come to a very different conclusion. He declared, that the impression of lord Cochrane's innocence, which he had originally conceived, still remained upon his mind; and it was undoubtedly right to lean to the side of innocence, where guilt was not established. He could respect the opinion of those gentlemen, who thought the record of the conviction sufficient, though he did not agree with them. He thought it was possible, that all the circumstances, stated by the Solicitor General, might have been true, and might have been proved in evidence, and yet that lord Cochrane might have been innocent. The main fact, that lord Cochrane saw De Berenger in the red dress, was not established by any witness. Had evidence been adduced on that point, the fact would have been conclusive of his lordship's guilt; but when this was not the case, he thought doubts might very fairly be entertained. He did not mean to vote for the motion, either on account of the severity of the punishment, or because lord Cochrane's services had been honourable to his country. He conceived, he would do an act of injustice to the noble lord, if he did not state that his vote proceeded from a conviction that he was an innocent man. That conviction arose from his knowledge of lord Cochrane, from the assertions he had made in that House, and from the affidavits he had published to the world. If he thought his lordship capable of asserting falsehoods in the face of the House, he could easily believe him guilty of the offences with which he was charged; but, as he considered him incapable of such a proceeding, he would neither do him the injustice of giving a silent vote, nor of supporting the motion on any other ground, than from a strong sentiment that he was innocent. Much stress had been laid on the mere circumstance of De Berenger's having proceeded to the house of lord Cochrane; but, if he really wished to go to America, there was nothing either extraordinary or unnatural in his waiting on his lordship, when he arrived in London. The noble lord had thought fit to disclaim any degree of indulgence, on account of his former services; admitting, that, if he were guilty, the punishment was, by no means, too severe. He, however, considered the sentence as extremely harsh, with reference to the person, with reference to the offence, and with reference to precedents, which had occurred before the same noble judge, who tried lord Cochrane. He should not, he repeated, insist on lord Cochrane's former services, nor on the undue severity of the sentence; the ground which he took, and which he felt due, both to his own conviction, and lord Cochrane's character, was the total innocence of his lordship.

Mr. *M. A. Taylor* expressed his regret, that a question, which had been decided by a jury, should be brought under the cognizance of that House; because, he was convinced, that was not the place in which the merits of a proceeding of the kind could, with propriety, be tried. In a court of justice alone could such a question be decided. It was extremely unpleasant to his feelings, to be obliged, in consequence of this motion, to give a vote against the noble lord, who had performed so many glorious deeds in the service of his country. But, when a motion like the present was submitted to their consideration, every man who was anxious that the powers of parliament should not be extended beyond their just bounds, must stand forward, and oppose it. The verdict of the jury was, in his mind, a most satisfactory ground for their proceeding; and if those who thought otherwise would consider a little, they would find, that a departure from this known and established principle, would plunge the House into a labyrinth of difficulty. The fact was, that the idea of the pillory, in the present instance, was grating to the feelings of every man in the country. He meant not, however, to say, that the judges acted unwisely or improperly in making it a part of the sentence; because he could not conceive that any, save the best motives, could influence four learned men against whom no imputation had ever been levelled, sitting in judgment on the nature and extent of an offence against the laws. He, as an individual, certainly considered the sentence as too severe, and he thought, on the ground of lord Cochrane's former services, the disgraceful part might be remitted; but still he was of opinion, that this House could not act by Address. It was the duty of ministers, if they conceived the punishment more than equal to the crime, to recommend the noble lord's case to the crown. The best and safest way appeared to him to be, to leave the prerogative of mercy unmolested, where the constitution had placed it, and not to attempt any interference whatever. He must therefore, oppose the motion.

Mr. *Wynn* said, if they subscribed to the doctrine of his learned friend, there would be, at once, an abandonment of their best rights, privileges, and immunities. His learned friend had said, that it was better to leave the prerogative of mercy just where the constitution had placed it; and he seemed to think it would be a violation of the constitution to interfere with it. Now, he denied that there was any prerogative of the crown, which that House had not a right to interfere with, so far as to give advice with respect to the way in which it ought to be administered. Not only did the House give advice in the two cases cited by his noble friend, but in many others. He did not mean to say, that the House were not bound to examine the particular case before them, and every other in which their interference was called for; but he could not allow that they should sit down shorn of one of their greatest privileges. It was as much their duty, if they thought the punishment undeserved, to come forward and address the crown on the subject, as it was that of the ministers of state. They were the great council of the nation; ministers were merely the council of the Prince. With respect to the case of lord Cochrane, he, from the beginning, considered the evidence as sufficient to warrant the conviction; and he had heard nothing in the whole course of the business, that could induce him to alter his opinion. Some of those who doubted the guilt of lord Cochrane, observed, that De Berenger might have been dressed in red, when he took coach at Dartford, and that, in the carriage, he might have put on the sharpshooter's green uniform; but this presumption was entirely done away, by the evidence of the coachman who put him down at lord Cochrane's house. But supposing the fact to be the other way, why should De Berenger have taken clothes with him, in which he could not appear in London? And why did he proceed, in his altered dress, to lord Cochrane's? There were many cases, in which the House would have a right to examine the record of conviction, and even to reverse the judgment: such were those of Russell and Sidney. But the present did not appear to him to be a case of that description. Having no doubt of lord Cochrane's guilt, and yet wishing to alleviate the sentence —which he admitted to be very severe—, he would not, by voting for the amendment, endeavour to obtain a declaration from that House, which would seem, by condemning the sentence as a bad one, to inculpate the judges who pronounced it. He thought the past services of lord Cochrane afforded a sufficient ground on which the House might advise the crown to remit the ignominious part of the punishment. And, even if the other persons concerned were obliged to stand in the pillory, and lord Cochrane were absolved from that part of the sentence, he thought his lordship's name being struck out of the list of naval commanders, and the order of the Bath being taken from him, placed him, with respect to punishment, on a level with the parties who should undergo the whole of the sentence. As to the observation made by the Solicitor-General, that the rank or services of a party ought not to procure him any remission of punishment, it ought not to be forgotten, that even the law made a difference in the punishment awarded for the crime of treason, to a peer and to a commoner; and not long since, a captain in the navy, who was sentenced to the pillory for a fraud, was absolved from that ignominious punishment, on account of his services. He thought, when the rewards which lord Cochrane's former services had gained, were taken away from him, that it was not fair he should be told that those services were written in sand, and that all remembrance of them was buried in the magnitude of his crime. His learned friend, the Solicitor-General, had argued, that the achievements he had performed, were aggravations of his offence. Now, he was aware, that great services and elevated rank were incentives to virtuous and honourable conduct—but, if a man, high in rank, and who had performed praiseworthy achievements, became guilty of a base action, he could not conceive how his former services aggravated his present crime. He should vote for the original motion; but, if his Majesty's ministers intended to oppose it, he suggested the propriety of doing so, by moving the previous question, instead of meeting it with a direct negative.

Mr. *M. A. Taylor* explained, that he had not meant to deny the right of the House to interfere in a case like the present; he only contended, that it was neither usual nor expedient.

Mr. *Wynn* insisted, that he had quoted the learned gentleman's words accurately.

Mr. *Hurst* denied that the motion now before the House interfered, in the smallest degree, with the royal prerogative. It merely pledged the House to address the Prince Regent, for the purpose of procuring pardon or remission of the ignominious part of lord Cochrane's sentence. He thought the observations of the Solicitor-General went to aggravate the case most unnecessarily, and were a little too violent. But, whatever the learned gentleman's view of the subject might be, the public feeling was pronounced strongly against the infliction of the pillory on lord Cochrane—a punishment, which every rank of society seemed to think ought to have been spared. He would not utter any expression, in the slightest degree, disrespectful to the judges; he reverenced them; still, however, they were but men, and might have gone beyond what the occasion called for. Now, if the public and the House felt that they had done so, it was their duty to exercise the functions with which the constitution vested them, for the purpose of rectifying the error. One of those functions enabled them, where a sentence was not commensurate with the crime, to call upon the crown to extend its prerogative of mercy to the person convicted; and this was a case in which, he thought they ought to indulge the public feeling, by an address to the throne.

Lord *Castlereagh* deprecated the interference of the House with the administration of justice in courts of law, or with the exercise of the prerogative of the crown, in the extension of mercy. On this ground, he felt strongly the impropriety of the present motion. In periods of our history, when the courts of law were more in the power of the crown, it was proper for the House of Commons to interfere with its advice and authority, in cases where the law had been wrested to purposes of injustice. But we had every motive in the present day not to bring into doubt the pure unbiassed administration of the law, or to throw an unmerited and dangerous aspersion on the most revered characters in the country. It was impossible, continued the noble lord, for any person, who had carefully investigated all the circumstances of the trial, to doubt the propriety either of the conviction or the punishment. However painful it might be to him, in considering the situation to which the noble lord was reduced, yet, he felt considerable relief in reflecting, that the affidavit to which the noble lord had alluded in the course of that solemn declaration of his innocence, which he had made in that House, had been fully before the jury and the court in a manner peculiarly favourable to his lordship. It was produced on the part of the prosecution; and the judge, in his charge to the jury, had distinctly told them, that, if they believed that affidavit, they must acquit him. For his own part, he must own, that he could not enter into the principle which it was attempted to establish that night. He was not, indeed, prepared to say, that as far as the case personally affected lord Cochrane, it was not a most rigorous and painful one; because it was natural to wish, that an individual who had performed such splendid services to his country, should have carefully abstained from any crime that could render him the object of a punishment of that nature. But, he could not admit the doctrine which went to establish privileged orders, as it were, in the country, with regard to the punishment for crimes, upon a principle of aristocracy most dangerous and unwise, that those artificial ranks, which ought to have the effect of elevating the mind above the commission of such base and dishonourable practices, should be converted into a claim to secure the individuals from the punishment they had incurred; and which would be inflicted upon inferior ofenders. To argue the present case upon any reference to the practice of the army and navy, where officers received a punishment different from that of the common men, and to apply that practice to a totally different system of jurisprudence—a system, whose pride and glory it was to know no distinction of persons, and where every individual was alike tried by his peers—was a mode of proceeding which he could not but consider as inconsistent and nugatory. He had already stated, hat it was painful to contemplate the noble lord in the situation to which he had reduced himself; but it would, indeed, be dangerous to admit as a general principle, that either his rank in life, or his professional services, ought to operate as an indemnity to him in the commission of a crime, that had called down the judgment of the law. He had no doubt, that he revered judge who tried the cause, was deeply impressed with the importance of making it known to the country in what ight the law contemplated the malignity of the crime, what its true character was, and what the nature of the punishment belonging to it. This was the more necessary also, because there had been a most extraordinary attempt out of doors to confound the real qualities of the offence, as f no crime in reality had been committed, but only an allowable exercise of ingenuity, in playing off a trick against the Stock Exchange. Even the hon. baronet opposite, from whose habits, education, nd general sentiments, he should have expected a different line of conduct, had, on a former evening, spoken with a degree of tenderness, which he did not think belonged to the offence. With regard to one part of the punishment, he apprehended, they were not to discuss the bstract question, as to the fitness, o therwise, of the pillory; that was a matter for parliament to determine in nother way, by revising the law, as it now stood, if they thought it proper to do o; it was enough for them to know, that he punishment was such as the law had pronounced against infamous offences; and s long as it continued a part of the law f the land, the judges, in applying it, had pheld the public morality of the country, nd had protected the country from a species of fraud, which, if suffered to be erpetrated, under the impression, that it was beyond the cognisance of the law, would subvert all the security of property hroughout the empire, and all our notions of public honour and integrity. It was another thing to consider what should be done under all the circumstances of the case. The law had done its duty, the judges had done their duty, and it was for the crown to determine what line it would pursue in the exercise of its own prerogative. No satisfactory ground had been laid for the interference of parliament; and he should, therefore, feel it his duty to resist the motion. He would add, however, that he had no difficulty in stating, that the crown had taken steps to interpose its mercy with respect to the infamous part of the punishment, not only as far as it related to lord Cochrane, but to all the other parties. The ground upon which the crown had been advised to adopt this course, did not arise from the slightest doubt of the propriety of the conviction, nor the slightest doubt as to the integrity of the judges; but because it was satisfied the crime was so little known to Englishmen, was of a nature so repugnant to the national character, and, above all, to persons moving in the sphere in which the noble lord did, that it might safely remit the ignominious part of the punishment. The object of all punishment was, not personal retribution, but to operate as an example, and prevent the extension of crimes; and the crown flattered itself that it might, in this instance, extend its mercy, not on the ground of any claim recognised in the parties who were the objects of that mercy, but because of the infrequency of the crime, and in the hope that the conviction and sentence, though not fully carried into effect, would deter others from the repetition of it. He thought it right to state this view of the question itself, and of the motives from which the crown acted, in order that no perverted interpretation might be put upon the exercise of its mercy.

Sir *Francis Burdett* said, that he had offered his sentiments so much at length on a former night, when the question of lord Cochrane's innocence was under their consideration, that it would ill-become him again to trespass on the attention of the House; nor should he, indeed, have risen at all but for some things which had dropped in the course of the present debate. The intimation of the noble lord, if it had been given earlier, would have saved that House the trouble of listening to a long discussion. There were many ways in which the question might be considered, as affecting the feelings of the people at large, as affecting the public justice of the country, and, as affecting the noble lord himself, whose case was under consideration. He confessed, indeed, that as far as the noble lord was concerned, the motion was a matter of perfect indifference; he relied wholly upon the consciousness of his innocence, and valued his character far more than any ignominious punishment which could be inflicted. But, as it affected the feelings of the country, and the feelings of that profession to which the noble lord was an honour, he should certainly have supported the motion, had not the declaration, which the noble lord had just made, rendered it unnecessary to press it. Some remarks, however, had been made, and particularly by the Solicitor-General, which had a tendency to shake that favourable judgment with respect to the innocence of lord Cochrane, which some members had formed on a preceding evening. He knew the candour and gentlemanly feeling which belonged to that learned and hon. gentleman, yet he could not help thinking, that he (sir F. Burdett) had some reason to complain of the course he had adopted that evening. He was disposed to regard him with every sort of respect; but still, as Solicitor-General, he could not regard him exactly in the same light as any other independent member of the House; because, from his very situation, he could not be wholly free from a bias or inclination to support the measures of administration. He sat in that House, in some measure, as a judge; but he had indulged himself in giving evidence into which the House had no opportunity of enquiring. He had affirmed, that lord Cochrane's statement, as delivered before that House, was incorrect, and especially that part of it which declared that the noble lord, conscious of his innocence, had used no endeavours to prepare for his defence. He (sir F. Burdett) had always considered the noble lord as going into court as pre-judged in the mind of every man, from what had transpired previously to the trial? even his counsel seemed to be under the influence of the same feeling, as they certainly did not defend him with that ability which they might have exerted. Their defence was undoubtedly not so powerful as that employed by the noble lord himself when he moved for a new trial; if they might judge from the effect produced by it on the public mind. With respect to the brief, which lord Cochrane affirmed he had not read, and which it was now stated he had, he (sir F. Burdett) did not positively know that the noble lord had read the brief; but he could believe the fact might be so, and yet that he was ignorant of its contents. He, who knew the noble lord well, had no doubt that, at the time he was reading the brief, his head was dreaming or scheming over the plans which withdrew his attention from the subject. He would state to the House why he thought so: the copy of the brief stated, that De Berenger wore a red coat; lord Cochrane, in his affidavit, had declared that he wore a green coat; and it was impossible, if his mind had been intent upon the matter of the brief, that he could have allowed such a contradiction to remain. It was known also, that briefs and all legal instruments were drawn up in such a manner, that persons possessing a much more penetrating mind than he (sir F. Burdett) did, had often signed such instruments without knowing what their nature was, except so far as they received an account from the attornies employed. Another hon. member had said, that lord Cochrane had given an erroneous account, in saying, that the judge made an unfair charge to the jury, in declaring that De Berenger appeared before him in his scarlet coat, star, ribbon, &c.; because it now appeared, from another account of the trial, that a very important word was introduced, the word "*if*;" he knew, indeed, that your *if*, "was a great peace-maker;" but did not the hon. member know that the account in question of the trial, was taken by a short-hand writer belonging to the Court, and sent to the learned judge for his revision. He did not know that any change was made in the charge; but the only way to ascertain the fact, would be to examine the short-hand writer at their bar. In fact, however, there was not a tittle of evidence to prove that De Berenger appeared before lord Cochrane in the "costume of his crime," as it had been called. Then again, not the slightest notice was taken of a portmanteau which De Bereuger had with him, though it was a fact of the greatest importance, and compatible with every thing which lord Cochrane had stated in his affidavit. He should now advert to what the noble lord, who spoke last, had said with respect to himself. The noble lord's candour was greatly celebrated; but what he meant to convey by the expression that he (sir F. Burdett) had spoken of the offence "with a tenderness that did not belong to it;" he knew not. Looking at it merely in a legal point of view, he certainly did say, that, in the eye of the law, it was not considered as a crime, but as a misdemeanour only, and not deserving of the same heavy punishment that belonged to a crime. Where, then, was the tenderness of that opinion? The noble lord had stated, as the ground for that advice which had been given to the crown (and for which he had his thanks), the most singular reason, truly, upon earth. The crime was so rare, so uncommon, that it was not necessary, for the sake of example, to carry the full sentence of the law into effect! The noble lord might be right in what he said, as he certainly had better opportunities of knowing the state of the country; but of this, he (sir F. Burdett) was certain, that if he were to meet any gentleman in the lobby of that House, and tell him such a reason for the mercy of the crown being extended towards the parties in question, he would certainly laugh in his face. They would not suppose frauds in the Stock Exchange to be quite so unfrequent and so rare as the noble lord imagined. He felt, however, obliged to the noble lord for the advice he had given to the crown on this occasion,—not for the sake of lord Cochrane, who despised that part of the sentence—but for the sake of the public, and of that gallant profession of which he had been so bright an ornament.

The *Attorney General,* with considerable warmth, defended the speech of his learned friend, the Solicitor General. He said, it was impossible to suffer the House to depart without some observations upon what had fallen from the hon. baronet. When the noble lord stated, that the Prince Regent had determined to put the merciful prerogative of the crown in force, the hon. baronet observed upon that statement, that if he were to tell it to any gentleman in the lobby, he would laugh in his face—

Sir *F. Burdett* rose to explain. What he said, was, that if he had told any person the grounds upon which that mercy was extended, they would laugh in his face.

The *Attorney General* said, that if the hon. baronet had listened to the whole of his sentence, he would have found, that he meant to quote his precise words. The crime was one to which the law affixed a certain punishment, but it was the prerogative of the crown to remit the whole, or any part of that punishment; and in the present case, the crown had remitted a part, in the hope that the conviction and sentence being known, would be sufficient to operate as a prevention of the repetition of the offence. But what was the course pursued by the honourable baronet? It certainly would not be denied, that the honourable baronet found many occasions, and fit occasions, as he deemed them, to exalt the trial by jury, and eulogize its merits and value; but when it was necessary to run down that trial by jury—when it was necessary to stigmatize our most sacred institutions—when it was necessary to cast the most unfounded imputations upon the judge and the court, for the purpose of establishing the innocence of a convicted offender—then persons were to be found out of doors, and the hon. baronet was to be found within that House, to talk of picking and packing juries, which were under the controul of the judge, and removable at the pleasure of the judge, if they did not obey his instructions. The hon. baronet professed to dwell upon the newspaper accounts of the trial; but now there was an account of it published, not given in the hurry of the moment when it occurred, but taken by a person known for the fidelity and accuracy of his labours. In that account an important alteration appears in the charge of the judge. He did not know, that it had been submitted to the judge for his revision, but he dared to say it was, as the practice was a common one, for the sake of obtaining the greatest possible accuracy. The judge might alter a phrase or a word to make that correct which before was not so; but if the hon. baronet meant to state, that the noble lord wickedly altered any portion with the intent of giving a different and a new meaning to what he said, or to soften down any part of it, he would venture to assert, not only from his own knowledge of that learned lord, but of all who sat upon the bench, that there was not one of them who would descend to such a practice. The learned member then went into a detailed examination of the evidence as affecting lord Cochrane. With respect to the dress of De Berenger, he contended, that the fact of his being in a red coat did not rest upon the mere assertion of Crane and Shilling, but was established by a series of witnesses, tracing De Berenger from Dartford to lord Cochrane's house. Such being the case, any judge must have been a driveller, who would not have charged the jury in the way the learned lord had done on this occasion. With regard to juries, he denied that it was possible to pack them; they were all struck the same way, all reduced the same way, and all were out of the reach of any improper practices. He would tell the hon. baronet also, that, notwithstanding any supposed rule of court, the court of King's-bench would have granted a new trial, had any sufficient ground for one been submitted to it. The hon. baronet had said, that there were no means by which the House could judge of the evidence alluded to by his hon. and learned friend; but he would tell the hon. baronet how the House might judge of it. The lips of his counsel and solicitors were sealed; but let lord Cochrane release them from their professional obligation to secrecy, and then the House could have the necessary information. But lord Cochrane, forsooth, was an object of political rivalry, (though a rival that nobody ever cared for) and therefore a venal judge, a packed jury, and the interposition of government, were to be associated for the purpose of ruining him! Such was the opinion of the hon. baronet. Oh, what an advocate! No doubt the hon. baronet was equally persuaded of the innocence of De Berenger, who was also an honourable man! The pillory was, it seemed, to be thenceforward considered as a desirable place of resort! The day on which any individuals—the co-members for Westminster, for instance—were to stand in that situation, was to be marked as memorable! It had been said, that to Butt and Berenger, the punishment would be as nothing. They might retire from it, and would be again received into society as if nothing had occurred!—Berenger forsooth was an honourable man! And this assertion was made, although witness after witness had proved incontrovertibly his connection with the conspiracy. It had happened, that eight or nine witnesses were asked in open court, one after the other, if they could point out the person who had travelled from Dover with the false intelligence; and although Berenger was sitting in an unsuspected part of the court, looking down and writing as if he were a clerk to one of the solicitors, they one and all, after moving their eyes round the court, as soon as they fixed upon him, declared, as if by electricity, that he was the man. And yet, after this, Berenger had the hardihood to attempt to prove an alibi, and to adduce the voluntary affidavits of his servants. With respect to Mr. Cochrane Johnstone, no man, he presumed, doubted his guilt; and yet really there was less evidence of his personal connection with the fraud than there was of lord Cochrane's. It was well known, that in in all conspiracies each individual conspirator had his part assigned him. There was the arch traitor, and there were the subordinate agents. The part assigned in this conspiracy to Mr. Cochrane Johnstone, was the hiring of an office near the Exchange for the purpose of carrying on the speculations. The part of Berenger was to go to Dover, and to come up with the false news. M'Rae, Holloway, &c. were to act the subordinate parts in this nefarious drama. Lord Cochrane could not take an active part. He was too well known to go about it. His person would have been recognized. But he was not the less useful a member of the conspiracy, on that account. For when Berenger came to town, after he had spread the intelligence, the question was, where he could go to be safe. Was it uncharitable to say, that he could go only to a friend who knew his errand, and who was prepared to receive him with open arms? To lord Cochrane's house, in his military habiliments, he was brought. That was the place chosen by him, in which to change his dress, that he might return, without danger, to the rules of the King's-bench. If, therefore, the question related as to the comparative degrees of personal connection, which lord Cochrane and Mr. Cochrane Johnstone had had with Berenger, lord Cochrane had it all to nothing. But it was said, that lord Cochrane had gained nothing, or next to nothing, by this transaction in the funds. From what loss had he not redeemed himself? Was there any other person in the kingdom, who, in consequence of this conspiracy, had thus averted himself from impending ruin? It was evidently irresistible, on the part of the grand jury, to find the Bill against lord Cochrane. It was evidently irresistible, on the part of the petty jury, to bring him in guilty. He (the Attorney General), had not heard the whole of the evidence on the trial; but he had attended to every tittle, as read over by that learned and upright judge, sir Simon Le Blanc; and he could lay his hand on his heart, and express his firm conviction, that when the existing prejudices against the constituted authorities had subsided, the grand jury, the petty jury, the judge who recapitulated the evidence, and the four judges, who refused to grant a new trial, and who thought the crime deserving of an infamous punishment, would all be considered as having strictly done their duty. At the same time, he confessed his satisfaction to find, by the intimation of his noble friend, that it was his royal highness the Prince Regent's gracious intention to remit that part of the sentence on lord Cochrane, which must be most unpleasant to that noble lord's feelings, and still more to the feelings of that profession, of which he was lately a member, and of which he had formerly been an ornament.

Lord *Ebrington* said, that after the speech of the noble lord, he did not feel himself justified in taking up the time of the House further, in withdrawing, as he intended to do, his motion. He could not help expressing his regret, however, that the communication which had been made that night by the noble lord, had not been made before, and the more especially as the noble lord had deprecated discussion. The noble lord then proposed to withdraw his motion.

On the question being put from the chair,

Mr. *Holmes* said, that in consequence of the statement made by the Solicitor General in the course of his speech, respecting lord Cochrane's inspection of the briefs which had been delivered to his counsel, previous to his trial, he had sent a letter to the noble lord, requesting an explanation upon this subject; and had received, by a confidential friend of that noble lord, his answer, which he would take the liberty of reading to the House. The hon. gentleman then read a letter from lord Cochrane, asserting that the statement of the Solicitor General was not correct, for that he had never read the briefs, although a part of them had been read to him by Mr. Parkenson, a person connected with his solicitors. The noble lord had also sent the brief, part of which was marked, and in the margin were the words, "Read this to lord Cochrane." This memorandum, the hon. gentleman remarked, was confirmatory of the noble lord's statement. He also observed, in allusion to what had fallen from the Attorney General, that if lord Cochrane did not release his counsel and solicitors from the secresy which their professional character imposed upon them, he should be the first to pronounce him guilty; but he was satisfied the moment the noble lord heard of the suggestion, he would, without delay, avail himself of the advice which was given.

The *Solicitor General* begged to repeat what he had already said, that the statement which he had given, was not made from any thing within his own knowledge, although he had no reason to doubt the veracity of the person from whom he had received the information. He did not actually state that lord Cochrane had seen and read the briefs before they had been delivered to counsel; but what he said was, that instructions had been taken from lord Cochrane for the briefs, which were read in his presence, and approved of by his lordship; and that, saving the indictment, and the statement of the Stock Exchange, the whole of the briefs had been prepared under his immediate inspection; and he had further stated, on the authority to which he had alluded, that the evidence of lord Cochrane's servants, as taken down by the attorney's clerk, was read over to him; and that his lordship had made an alteration in the evidence of Thomas Dewman, who had confounded the arrival of De Berenger at his master's house on the 21st, with another officer, who had called on some previous day; and with that correction, the brief was sent to be engrossed, and was afterwards sent to counsel. The hon. gentleman having alluded to the draft of the brief which had been sent to him by lord Cochrane, and stated, that parts only of it had been read to the noble lord previous to its being delivered to counsel, as was evident from the note in the margin, he begged to notice one part of this draft, in which the words "read to lord Cochrane" were inscribed in the margin. This was a part in which three or four lines were erased. This, no doubt, had been done by his lordship. What those lines contained could not be known, although it was evident, from this circumstance, the noble lord had not been inattentive to the text, which was submitted to his judgment.

Mr. *Abercromby*, adverting to the former discussions on this subject, said, that lord Cochrane's counsel, apprehending, that lord Cochrane would allege neglect on their part, and more particularly with respect to the brief, had furnished him with a statement of the facts, which, to the best of his recollection, were as follows:—a brief, the House would observe, was divided into two parts—the statement, or recital, and the proofs, or the evidence which it was expected to obtain in support of the statement. Now, according to his recollection of the facts to which he had alluded, the first part of the brief (the recital) had been read over to lord Cochrane at one period, and the second part (the proofs) at another period; and on the last, lord Cochrane made some observations, which were strictly attended to.

Mr. *Wetherell* had witnessed the statement of lord Cochrane's counsel, to which his hon. and learned friend had just adverted, and entirely coincided with him in his recollection of the facts.

Mr. *Whitbread*, upon looking over the draft of the brief sent by lord Cochrane, said, he observed many lines erased, which did not appear to have been read to his lordship; he deprecated, therefore, any inference being drawn from these erasures, either for, or against, the noble lord. After the communication which had been made of the intention of the crown, it was quite unnecessary to discuss the motion any further; for all argument must bear not on the question of guilty or not guilty, (for, by the verdict of the jury, and by the vote of the majority of the House, for the expulsion of lord Cochrane, although he was not one of that majority, that question had been decided), but on the propriety of the punishment; and, although he should certainly have voted with his noble friend, yet he repeated, that nothing more need now be said on the subject. In his opinion, however, the noble lord would have done better, had he made his communication at an earlier period, and have thus prevented a most useless discussion.

The motion of lord Ebrington, as well as the Amendment of Mr. Barham, with the permission of the House, was then withdrawn.

OFFICES IN REVERSION.] Mr. *Bankes* recapitulated most of the arguments made use of by him, on the occasion of an Address which he moved in 1807, and which was carried, without one dissentient voice; and the subsequent Bills introduced by him. He concluded with moving, "That an humble Address be presented to his royal highness the Prince Regent, that he will be graciously pleased not to grant any office, place, employment, or salary, in any part of his Majesty's dominions, in reversion, or for joint lives, with benefit of survivorship, until six weeks after the commencement of the next session of parliament."

Lord *Castlereagh* contended, that when the House voted the Address in 1807, they had no reason to presume any repugnance in the other House of parliament, to the abolition of the places in reversion.—[Mr. Bankes said, that the Bill was then thrown out.]—They had no reason, however, continued the noble lord, to presume, that the repugnance was of that deliberate nature, which it had since assumed. The House had now, however, made several attempts, and the other House was found to differ with them on the principle of the measure. It was not on the spur of the moment, they were now called on to make an address of the House tantamount to a law, in matters of prerogative. He opposed the Address, because he considered the object of it an innovation of the constitution, and an exclusion of the House of Lords, from their share in the legislature. It might lead to a conflict of jurisdictions, and might place the crown in a contradictory relation to each of the Houses. He wished he could persuade his hon. friend to withdraw his motion.

Mr. *Tierney* thought there had been a sort of tacit compact between the two Houses, on the subject before the House; that in consequence of saving the honour of the crown, and not infringing on the prerogative, the other House would have no objection to the passing of temporary Bills. It seemed, however, as if the suspense which took place six or seven years ago, and which had accumulated a number of reversions, had quickened the appetite of ministers. He did not mean to say, they meant to make any improper use of the power of granting sinecure places; for when an office was granted, with no duties attached to it, he did not see how it could be improperly filled. The noble lord had started the difficulty of a conflict between the two Houses, and as the Lords had shewn an indisposition to his measure, the present Address, he thought, might put the two Houses in an embarrassing situation. But how was this more to be apprehended now, than at any time during the last seven years? The Lords had never sent any message on the subject. The Address would merely have the effect of keeping matters open till next session. Ministers seemed now determined no longer to keep up any appearances; and to get hold of all that the last seven years had saved for them.

Mr. *Bankes* contended, that there was no hope of taking any other step, than by an Address, to carry into effect the repeated votes of the House against reversions, as the session would probably close in the course of five or six days. There was nothing unusual in addresses of this kind; and, he apprehended, there was little danger of any breach of harmony between the two Houses. It must be recollected, that the moment the House let this subject out of their hands, that moment they restored to the crown the power of granting reversions, against which so many unanimous votes of the Commons had been passed.

Lord *Castlereagh* wished to suggest to his hon. friend, that the Bill rejected by the Lords, was preventive of the grant of reversions for two years; but another Bill, of one year's duration, might still pass that House, and be sent up to the Lords this session.

Sir *Charles Burrell* said, as the other House were so tenacious on this subject, it was not unfair for the country to suppose that they conceived themselves to have a stronger right to reversions than the Commons had. It was a fair inference, that they had stronger reasons than the Commons for continuing the abuse.

The House then divided. For the Motion 34; Against it 58: Majority 24.

Princess of Wales's Annuity Bill.] The House being in a committee on this Bill,

Mr. *Tierney* admitted the propriety of the first, second, and third clauses of the Bill. The next clause, however, he could not comprehend. What ground was there for inserting a long recital of a paper, drawn up in the year 1809, respecting an arrangement between the Prince and Princess of Wales, by which, in consideration of his Royal Highness, discharging 49,000*l.* of debts of her Royal Highness, and increasing her allowance to 17,000*l.*; she, on her part, signed an agreement, that, if she exceeded her income, or contracted future debts, a Bill was to be brought into parliament, to free the Prince of Wales from being liable for future debts? His objection to such a recital, was, that since 1809, her Royal Highness had not exceeded her income, nor had any demands on that account been made on the Prince of Wales. Why, then, recite this agreement of 1809, which, to say the least of it, was nothing to the purpose. It was impossible for any body to read the Bill without inferring, that her Royal Highness had exceeded her income, and that this recital was necessary, in order to prevent it in future. What was gained by all these recitals? He could comprehend the reason of the other clauses; they served to explain why the 22,000*l.* a year was taken from his Royal Highness, and paid to the consolidated fund, and to exonerate him from any future debts of her Royal Highness.

Lord *Castlereagh* apprehended, that without such a recital, the Bill would not explain itself. He denied, that it would lead any one to suppose, that any breach of the covenant had taken place on the part of her Royal Highness. In that case, he should have adopted a different kind of remedy, and have imposed on the Princess of Wales, regulations similar to those which were applied to the Prince of Wales's own income. The present Bill took away 22,000*l.* from the Prince of Wales, and gave 22,000*l.* to the Princess of Wales for life. This was certainly placing her in a situation not very natural for married persons, and which required some explanation. He really did not apprehend, that there was any thing in the recital discreditable to the Princess of Wales, either the living separately, or the having contracted debts previous to the agreement. If they erected her into a character, independent of the Prince for money, they owed it to themselves to give some explanation of this.

Mr. *Tierney* was satisfied the noble lord had not perused the papers before the House accurately. The settlement of 1809, bore, that in case the Princess of Wales exceeded her income, then an application should be made to parliament, for indemnifying the Prince. As long as she continued within her income, nothing was to be said; but whenever she exceeded her income, the subject was to be brought before parliament. Now, when this subject was introduced in the Bill, was it not an inference, that the Princess had broken this agreement? He did not believe the noble lord understood the Bill himself. He believed, that the noble lord had been desired to carry through the Bill, which had been drawn up by some other hand, and that there was some lieu upon it, which the noble lord would not chuse to avow. The noble lord had stated this, as an arrangement for life to the Princess of Wales; but it ought to be stated merely as an arrangement, during the joint lives of his Majesty and her Royal Highness; for, on the death of his Majesty, a different arrangement would necessarily take place. With respect to liability, whether the debts were incurred by the Prince or Princess, the public had to pay them. It was an ostentatious display of the noble lord, therefore, to state the readiness of the Prince, to pay the debts of the Princess. The Prince had no more means to pay 49,000*l.* without borrowing, than he had. When the noble lord talked of the anxiety of his Royal Highness to pay these debts, without occasioning any increase of charge to the public, did he mean to say, that he had any more means to pay the 49,000*l.* than his other debts? All this came of the recital. He dared to say, there were good reasons for the recital, but the noble lord did not seem to have been let into the secret.

Lord *Castlereagh* contended, that the creditors of her Royal Highness received payment of their debts, by instalments of 10,000*l.* a year; and he considered the insinuation of the right hon. gentleman as unfair.

Mr. *Tierney* said, that the payments, on account of Princess, were at the expense of the Prince's creditors.

Mr. *Whitbread* objected to the recital. With respect to the liberality of the Prince of Wales, of which so much had been said, it was sufficient to state, that the Princess had been reduced seven years, to 12,000*l.* a year: and that when the Prince's income was augmented from 49,000*l.* to 60,000*l.* under lord Sidmouth's administration, an application was made on behalf of the Princess, and no notice was taken of it.

The clauses were agreed to, and the Report ordered to be received to-morrow.

## HOUSE OF LORDS.

### *Wednesday, July 20.*

VOTE OF CREDIT.] The order of the day for taking the Prince Regent's Message on this subject into consideration being read,

The Earl of *Liverpool* said, he did not think it necessary to trouble their lordships with many observations, under the present circumstances, relative to the general state of affairs. A noble lord had, on a former evening, put a question respecting the sum which was proposed as the amount of the Vote of Credit, which was held as unusual in a period of peace. It should be recollected, that the country was still placed under peculiar circumstances. They were still at war with the United States of America; besides which, there were a variety of other considerations that must entail upon the country no small degree of extraordinary expense. It must be some time before it was possible they could bring home all the armies, and consequently make those reductions in the establishments at home which were so desirable in a time of peace. It was certainly deemed expedient that a certain amount of force should be kept up in those countries whose final fate was to be settled at the ensuing Congress at Vienna. He then alluded to the expenses which were still indeed under provisions of the treaty of Chaumont, and the amount of the subsidies which were still necessarily going on, and had not yet been voted, as on the occasion of former periods, because no man could have been certain at the time that, the war might not continue the whole of the year. With reference to these expenses, a sum of four millions remained, which must be provided for out of some fund. Under all the circumstances in which the war was closed, and with reference to the various considerations he had alluded to, a vote of the sum proposed for the occasion would be necessary and expedient; and, with that impression, he would propose an Address to the Prince Regent on the occasion of his most gracious Message, assuring him of the cordial concurrence of the House in enabling his Royal Highness to meet the exigencies that might arise, &c.

Lord *Holland* said, though he was not prepared to resist the motion, yet he must be allowed to express some degree of reluctance in voting a sum, which, it must be owned, was a large amount, for a period which may be considered as one of peace. It was true, we were still unfortunately at war with America, which he regarded as a great calamity; yet he thought the proposed amount was greater than the reasons assigned seemed to call for. He regretted the state of uncertainty in which the fate of a great portion of Europe still remained; but felt a contrary emotion at hearing nothing from the noble lord which indicated an intention of keeping up a large peace establishment. As the vote was rested on the narrow grounds alluded to by the noble earl, he would not press any sort of opposition to it; but would lay in his claim to examine the grounds upon which the vote had been called for, whenever the distribution of its amount should be laid before parliament.

The question was then put, and the Address immediately agreed to.

CORN LAWS.] Earl *Stanhope* recalled to their lordship's recollection a Petition he had presented yesterday on this subject. It was from certain respectable corn growers of Peterborough and its vicinity, stating, that on account of the heavy expense attending the growth of corn, and the low state of the markets, an adequate price could not be obtained; that if such a state of things continued, much mischief would arise to the public, as well as to individuals; and, understanding that a Resolution had been submitted to the House of Lords, tending to their relief, &c.; they prayed that the same may be taken into an early consideration. This, his lordship described to be the prayer and gift of the Petition. He adverted to the objections urged yesterday to its reception, which, he contended, were unfounded; and insisted, that the right of petitioning was a sacred unalienable right, and founded upon the principles of the constitution. He then moved that the Petition do lie on the table.

The *Lord Chancellor* thought that the Petition was one which ought to be received, and the noble earl's motion was immediately agreed to.

BANKRUPT LAWS.] Earl *Stanhope* presented a Petition from a certain individual whom he did not name on the subject of the Bankrupt laws. It was one, he said, out of those multitudes of cases which made one's heart bleed; and one which, from the state of the law, might happen without any blame being imputable to any of the judges of law or equity: but one always suspected that something was wrong when such cases existed. The petitioner stated, that he had been made bankrupt nine years ago, and had not been permitted to know the grounds on which he had been so declared bankrupt. This was a very serious grievance. The petitioner had made several applications to the Lord Chancellor, who ordered the assignees to be removed. The petitioner also stated his application personally to the Lord Chancellor,—his inability to afford the expense of procuring affidavits, and the expenses to which the estate had been put by various meetings; where sometimes only one commissioner, and sometimes two attended; the attendance of three of them being by law necessary, as he believed. His lordship then strongly recommended it to the House to appoint some eminent lawyers, or three of the judges, to form the several laws upon particular subjects into one bill or act; a measure from which great advantage might be derived. The law on such subjects would then be much better and more generally understood. The noble and learned lord on the woolsack was stated, in some reports in circulation, relative to proceedings in the court of Chancery, to have said, that he had read the Bankrupt Laws 72,000 times, and did not understand them yet; and if he had done so, he applauded him for it; but it proved the necessity for adopting the measure which he recommended.

The *Lord Chancellor* said, he certainly had never said any such thing; and if he must read the Bankrupt Laws 72,000 times before he could understand them, he had better not begin. He saw, however, that the noble lord did not understand them.

The Petition was ordered to lie on the table.

THE PRINCESS CHARLOTTE OF WALES.] The Earl of *Lauderdale* said—My Lords, I have waited in the hope of seeing an illustrious duke in his place, who yesterday gave notice of a motion upon a most important and delicate subject, for Friday next. I lament that I have been disappointed, because it was my intention to have asked whether he did not think it proper that the House should be provided with some information relative to the motion which is to be brought forward? I am well aware, that it is competent to any peer to summon the House for the more solemn consideration of any subject; and I should be sorry to argue that it is not competent to any peer to submit a motion without giving the House more than a general idea of its subject. If, however, I had had the good fortune to have seen that illustrious duke in his place this evening, I should have appealed to him, whether he did not feel that, in this instance, there existed as imperious a necessity of giving the House some intelligence as to the nature of his proposition, as upon any occasion that ever occurred in the history of parliament? It is true I did understand that his Royal Highness meant to acquaint a noble earl (Liverpool) with the form of his motion previous to the discussion: I know that such a courtesy prevails upon important political questions; but I do submit that, upon matters of the nature now referred to, such information given to one individual only out of the whole House, would not be satisfactory. For myself, I confess I am more at a loss to conjecture what the nature and form of the motion of Friday can be, than I ever was before upon any subject during the whole course of my experience, that had been made only a matter of hint in the course of conversation. Under these circumstances, it is impossible for me to avoid regretting severely, that I do not see the illustrious duke in his place, more especially as to-morrow is the only day that intervenes before his motion is to be discussed. If to-morrow I should not have the good fortune to see his Royal Highness here (and even then the intelligence would be very late), we must remain wholly in darkness and ignorance upon a question that requires the gravest and most solemn deliberation. I have, therefore, thought it necessary to say thus much, in order that, by some means or other, it may reach the ear of the illustrious duke, and that he may attend in his place to-morrow to give the required information, as to the nature and object of his motion; or, if not, to state some reason to the House why he thinks fit to with-hold it. At the present moment, I believe, there is not a single man in the House, or in the country, who has the faintest idea of the nature of the proposition of the illustrious duke.

The Earl of *Rosslyn* observed, that he had that instant received a note from the duke of Sussex, expressing his regret, that in consequence of indisposition, he was not able to bring forward his intended motion regarding the Princess Charlotte of Wales, on Friday; his Royal Highness, therefore, expressed a wish that it should be postponed until Tuesday. All I can say for myself (continued his lordship) is, that I have no doubt that, on the general principle of courtesey, his Royal Highne will be ready to make any communicatio consistent with the delicate nature of th subject. Such information, however, ca only be given as a matter of courtesey, an not of right. For one, I must maintai the principle, that any noble lord ma give a general notice upon any subjec without specifying at all the form of word in which it will be couched.

The Earl of *Lauderdale* defied any no ble lord to state truly that a single wor that he had uttered, was in contradictio to the principle alluded to by the nobl earl. What he had said was, not onl that a peer of parliament had a right t summon the House, but to make an motion, if he so pleased, without summon or previous information. The genera practice and courtesy of the House was however, otherwise; and, on a questio like that, which was so soon to be intro duced, the illustrious duke would surel deem it right to give some previous infor mation. As to the principle, he repeated that he had not uttered a word inconsisten with the principle laid down by his nobl friend.

Lord *Holland* was convinced, that hi noble friend who spoke last, was fully sen sible of the truth and justice of all tha had been said by the noble earl: upo the right of a peer of parliament, ther could scarcely be two opinions. His no ble friend had professed to put it, *ad vere cundeam*; but it was the oddest way o doing so, when the illustrious individua was absent. All peers of parliament wer upon an equality; and it was but fair when it was thus put, that the person to whom it was put should, at least, be pre sent, if the subject were not more properly settled in private. He must say, that i what had been now urged, had referred to a notice of motion given by himself, and explanation had been required in his ab sence, the effect would have been ra ther to induce him to with-hold any infor mation, standing upon his right as a pee of parliament.

The Earl of *Lauderdale* contended, tha his noble friend who spoke last, had sunk o kept in the back ground a great part o what he had at first said. He had stated hi reason for mentioning the subject in the absence of the illustrious duke to be, tha there was only one intervening day before the motion was to be brought forward and if, to-morrow, his royal highness should not attend in his place, no appea could be made to him upon the question. His object was to produce the attendance of the illustrious duke, to give information which, in his conscience, he was of opinion, was now more called for than upon any former occasion that had ever offered itself.

Lord *Melville* begged to know, what day the illustrious duke had named for his motion?

The Earl of *Rossyln* observed, that the communication he had noticed, was not directly from the illustrious duke, who was stated to be indisposed. He did not feel himself authorised to name definitvely any day, but Tuesday was mentioned in the note.

The Earl of *Lauderdale* said, that the natural course would be, that a day should be fixed to-morrow, when further information was obtained regarding the illness of the duke of Sussex.

Earl *Stanhope* hoped, that any day rather than Monday would be selected, since his favourite motion on a subject of the greatest consequence was fixed for that evening. He did not think the illustrious duke was bound to state the nature of his motion: it was not necessary. He understood that some motion was to be brought forward, but what was his notion of what it would be he would not tell. He wanted no further explanation upon the subject, than that which had been already given,

The Earl of *Rosslyn* could not finally name any day: he could only repeat that the note to which he had referred mentioned Tuesday.

Lord *Sidmouth* enquired whether the motion would be brought on on Friday?

The Earl of *Rosslyn* answered, that it would certainly not. Here the matter dropped.

## HOUSE OF COMMONS.

*Wednesday, July 20.*

Midshipmen.] Mr. *Forbes* rose to withdraw his notice respecting some provision for the Midshipmen of the navy, who were thrown quite out of employ by the late peace. He observed, that the situation of these persons was peculiarly hard, as they were without any provision, and he feared would not be able to find occupation in the merchant's service, on account of the multitude of persons who would be dismissed from the transport service. He withdrew his notice, because he had hopes that some measures, on the part of the Admiralty, would render any motion on the subject unnecessary.

Mr. *Croker* said, he rejoiced that the notice was withdrawn, as the motion would have excited hopes which it would not be possible to realize. At the termination of so long and arduous a contest, the persons in all branches of the navy had a right to expect that their services should be considered by those who had directed them in time of war. The claims of all ranks were actually under consideration, but he could not hold out any other hopes, than that of the half-pay, which had been mentioned in the last navy estimates. He was persuaded, that the House would not disapprove of any thing that was given as a reward for past, or a retainer for future services. But the consideration of the subject was attended with great difficulty, and no part of it with more than that which related to the class of midshipmen, which was composed of individuals of the most dissimilar ranks and expectations. He begged to be understood, that he could give no hopes of any particular measure on the subject; but he was convinced that the Admiralty would be most anxious to take all proper steps.

Mr. *Tierney* said, he was anxious lest any false impression should go abroad, that the cause of this class of men was abandoned by the House; because, when it was seen what arrangements the Admiralty would make, it would be in the power of any member, if he disapproved of the arrangements, to make any motion on the subject.

The notice was then withdrawn.

Petition of Mrs. Gamwell.] Sir F. Burdett presented a Petition from a woman of the name of Mary Gamwell, a haberdasher and milliner of Aldersgate-street, The Petition stated, that she had been charged with selling French gloves, tried, and convicted. She had in consequence been sentenced to pay a heavy penalty, besides legal expenses to the amount of 41*l.* The petitioner asserted her innocence, and prayed relief. The Petition was ordered to lie on the table.

Slave Trade.] Petitions against the Slave Trade were presented from many parts of the kingdom, among others, one by lord A. Hamilton, from Glasgow, signed by 14,000 persons; and one from the African Missionary Society; 12 from different parts of the island, by Mr. Wilberforce. Mr. W. on presenting these Petitions, observed on the atrocities which the idea of the French to conquer St. Domingo must, if persisted in, give rise to. He stated, that he knew, from the most certain sources, from intercepted letters from St. Domingo, a fact which seemed formerly to have been doubted; namely, that it was usual at the Ecole des Chiens in that country, to train the blood hounds who were to hunt the natives, by forming a ring with armed soldiers, and exposing 12 or 13 blacks to the fury and hunger of the dogs. This shameful exhibition usually took place on Sundays.—The Petitions were ordered to lie on the table.

Mr. *Peter Moore* wished to ask the hon. gentleman whether he had any plan in contemplation for the entire oblivion of slavery all over the world? The question had slept since the year 1807. Might not some regulation be adopted to prevent the clandestine importation of slaves into the West Indies, by enacting, that every black who set his foot not only in England, but in any part of the British dominions, should instantly become free?

Mr. *Wilberforce* replied, that the object of the friends of the abolition of the Slave Trade had been in the first place to stop all supplies of slaves from Africa, and then they hoped that the amelioration of the state of the slaves in the West Indies would follow as a matter of course. The object of the Petition he had just presented, and of many other Petitions of the same kind, was to shew the unanimous feeling of the country against this inhuman traffic.

Sir *H. Montgomery* mentioned the practice, of which he had been a witness in the East Indies, of bringing slaves a-shore from the French settlement at Pondicherry, and afterwards re-shipping them. He hoped that the noble lord would turn his attention to the subject.—[Lord Castlereagh signified his assent.]

IRISH PRESERVATION OF THE PEACE BILL.] On the order of the day for resuming the adjourned proceeding upon the third reading of the Bill, to provide for the preserving and restoring of peace, in such parts of Ireland as may, at any time, be disturbed by seditious persons, or by persons entering into unlawful combinations or conspiracies,

Sir *S. Romilly* said, his former objections to this Bill had by no means been removed; but as he found that nothing he could say would prevent its passing, it was in vain for him to trespass on the time of the House by any further length of argument. He must, however, say, he could not conceive why the measure, which was of the first importance, should be brought forward at so late a period of the session; and why it was hurried and pressed through the House, in the manner it had been, without any satisfactory reason assigned for it. It was about to be sent to the other House, at a period when the lords had already declared, there was not time to enter into the consideration of the question respecting the borough of Helstone; and if that was the case, it was surely too late to send up to that House so important a Bill as this, which went to take from his Majesty's subjects their dearest birth-right. He thought it his duty to protest against such a measure, and to give it his decided opposition, feeble as the effects of it were likely to prove.

Mr. *Peel* denied, that in this measure he had taken the House by surprise; for when he introduced, on a former occasion, a measure of a different description, he reserved to himself the power of bringing forward one like the present, if it should be found necessary. He had, he believed, made out a sufficient case to induce the House to agree to the Bill. He had read an oath, for which no less than six convictions took place at the assizes of Westmeath, and the purport of which was to be true to Buonaparté. He had hoped that peace would have overpowered and overcome all such absurd speculations as adherence to the despot of another country; but he had recently learned that similar combinations were still forming in Ireland, and that an oath was now administered and taken in the county of Westmeath, hostile to the public peace and tranquillity. He had considered it incumbent to wait till he had a distinct proof of the failure of other measures, before he resorted to the present Bill. This was not looked upon as a party question in Ireland. A memorial had been presented to the Lord Lieutenant, signed by sixty most respectable individuals of the county of Tipperary, eighteen of whom were magistrates, and the first name signed was lord Llandaff, the brother of the representative of that county in the House, the object of which memorial was to persuade the government to bring forward the present measure.

Mr. *J. P. Grant* had no doubt, that what the right hon. gentleman had said as to the state of Ireland was correct; but it was not on the opinion of magistrates, and other persons residing in disturbed districts, that parliament ought to act. Persons residing in counties in this disturbed state, were, of all others, least likely to form correct opinions as to the proper remedy. They were too much under the influence of fear to judge correctly; they might be the best witnesses respecting those circumstances which they were acquainted with; but parliament, though they ought to enquire into and hear the reasons given by those persons for their opinions, were bound, at the same time, to form an opinion for themselves. He rose, to protest against this measure, considering, as he did, that he would not be doing his duty if he did not oppose it. If any one looked into the enactments of the Bill, they would be convinced, that a more important measure could not be submitted to any legislature. It went to suspend an important part of the constitution, in a quarter of the United Kingdom, where, if ever we hoped to see the people emerge from the barbarism into which they had been plunged by our mismanagement, it must be through their admission to all the privileges of that constitution. It was incumbent on the right hon. gentleman, to show that our constitution was a mere fanciful idea,—that it was not as well calculated for troublesome times as times of tranquillity. He had no objection to the clause by which persons were confined to their houses after a certain hour; but what he chiefly objected to, was, the suspension of the trial by jury. It was of the utmost importance to keep sacred and inviolate the trial by jury; and it was a libel on the constitution to say, that it could not be carried into execution in cases, not of combination with a foreign enemy, but of domestic turbulence and disquietude. An infraction of the constitution could never be justified by precedent; but the precedent of 1807 was not analogous to the present case. At that time, the venerable champion of Irish liberty (Mr. Grattan) rose up in the House, and stated, that he was well informed there was a French party in Ireland, who held dark and dangerous meetings, for the purpose of organizing a French force. The impression made on the House by that declaration, was what might have been expected. We were then at war with a powerful enemy, and circumstances pressed. The circumstances were now, however, very different. He did not complain of the right hon. gentleman for taking the House by surprise; but for having delayed to bring forward this measure till a period of the session when the House could not go into the enquiry. The right hon. gentleman had said he was desirous of trying the effects of peace; but peace or war had nothing to do with these commotions; the seeds of them lay much deeper than any temporary cause. There must either be something anomalous in the state of Ireland, or the British constitution must be unable to exercise its own functions; and to protect its own magistrates, if a suspension of that constitution was necessary, not in a period of war, but in such circumstances as Ireland was never free from; for Ireland was not different now from what it had been throughout the whole of its history. These disturbances were confined to the lower orders; they were not supported by any other class, and they had no political objects but originated in a desire to prevent the rise of rents. If it could be made out that the British constitution was not fit to live under, that it could not afford complete power to the magistrate against the turbulence of the people, that constitution was a fanciful and idle theory. It was said, that it was impossible to get witnesses to come forward at present; but there was nothing in the Bill to afford any additional security to witnesses. What was to protect them? They were not to be examined in secret. It had been said, that juries would be intimidated, but he was informed there was little to fear from this. If there was any apprehension of this nature, the trial might be removed to Dublin. He hoped, that early in the next session a general and deliberate view of the situation of Ireland would be taken.

Mr. *Grenfell* conceived, that the absolute necessity for this measure had been sufficiently made out. The hon. gentleman ridiculed the idea, that the House were better judges of the disturbances in Ireland, than the magistrates and inhabitants of that country. He should certainly give the Bill his support.

Sir. *S. Romilly* said, he did not conceive they were better judges of the disturbances of Ireland than the inhabitants of that country; but what he complained of was, that they were not allowd to judge at all.

Mr. *Baring* had no difficulty in saying, that he should vote for the Bill. The question seemed so much to have the general assent of the gentlemen from Ireland, that it was impossible not to admit its necessity. He was surprised, however, that the measure should be allowed to pass, without the attention of the House being called to the situation of Ireland, and to the remedies for that situation. They were now looking merely to the protection of the subjects of that country—to a palliative measure, which was necessary in the lawless state of Ireland, from its misgovernment. What was the representation of the right hon. the Secretary for Ireland? That the people of that country were in such a situation, as no other country was ever in before—that they could procure no juries, no informers—that they could not get the wheels of government to move. This state of things, which government was now obliged to avow, was unheard of in civilized Europe. The right hon. gentleman had avowed, that he expected a change, on the downfall of Buonaparté; but this was a shallow view of the subject. It mattered not, whether it was Buonaparté, the Grand Turk, or the Pope. With the present hostile sentiments of the population of Ireland, if the Grand Turk were to raise his standard in that country, nearly the whole population would be ready to flock to it. Such was the security of lives and properties in Ireland, under, what was called, a Protestant assendancy! It was impossible to vote for the Bill, without calling on the House to consider the subject more deeply than they were invited to do by the right hon. gentleman. As to the constitution of this country, it was, in his opinion, only adapted to a situation of affairs, where the people were friendly towards a government. The moment any country changed its situation in this respect, and resembled Ireland, the machinery of the British constitution was perfectly unfit for it. In considering a subject of this nature, the House were aware, that there was nothing in the nature of Irishmen, any more than of Welchmen or Scotchmen, disposing them to turbulence and anarchy; but the people were every where, what their laws and institutions made them.

Mr. *Wilberforce* said, the discontent of Ireland was undoubtedly a disease of centuries standing. It was an essential duty of the House, to turn their attention to the circumstances of Ireland. It was very natural in the Irish government, to suppose, that, on the overthrow of Buonaparté, the expression of dissatisfaction in Ireland, might also experience a change: but there was, it would seem, a sort of general spurning at the subordination of the law in that country. In this island, from the highest to the lowest, every individual bowed to the ascendancy of the law; but Ireland seemed to be in a very different situation. He was disappointed that they had not heard any thing from the board of education this year. As an Englishman, (said Mr. W.) I owe reparation to Ireland, for the wrongs of centuries. We have, it is true, of late years, manifested a sort of parental affection for that country; but I cannot but remember the period when it was governed by principles of a very different nature. The inhabitants of Ireland seem really, as some nations were said to be, incapable of enjoying liberty, to be, at present, incapable of enjoying the blessings of the British constitution.

Mr. *Hurst* admitted, that something ought to be done, but contended, that the trial by jury ought not to be suspended in Ireland, till every other means of redressing the evil had been tried. Trial by jury he considered the prop of the British government; and, would they seek to gain strength by removing the pillar which supported it?

The *Attorney General* said, that this measure was spoken of, as if it were one to enact, that trial by jury should, henceforth, be universally discontinued in Ireland. He was surprised to hear the last speaker, who had long been a magistrate in England, use the language he had uttered. The present Bill, except in one instance, where it authorized transportation for certain offences, without trial by jury, enabling the magistrates to do little more than the hon. gentleman himself had many times done during the quarter sessions, where acts of vagrancy were proved to have been committed. It was admitted, on all hands, that something must be done, although this Bill was so much opposed. He thought a sufficient case was made out to justify the House in passing it.

Mr. *Hurst* was ready to admit, that it was necessary that something should be done to preserve the peace of Ireland; but what he objected to was, that, without any information having been laid before the House, of any attempt being made to strengthen the police of Ireland, the axe had been laid to the root of the great bulwark of the constitution in that country, the trial by jury.

Mr. *P. Moore* admitted, that many letters and documents had been read in the House to make out the case for this Bill; but as there were documents to which the House would not have recourse, he contended, before the House was called upon to adopt the Bill, these documents should have been submitted to a committee. At present he did not think sufficient ground had been stated for agreeing to the measure.

Mr. *Butterworth* said, that no person would feel more reluctance than he should, in taking away from any class of his Majesty's subjects any of those rights, to which they were entitled by the constitution. There were cases, however, in which he understood, from political reasons, the trial by jury was not always the most effectual mode of obtaining public justice. He had received a letter from a correspondent in the county of Longford, which mentioned that a jury, consisting of ten Catholics, and two Protestants, had been chosen to try some persons of the Catholic persuasion. Though the case was perfectly clear, and the judge had so stated it to the jury, the ten Catholics would not agree to a verdict of guilty; and, as the two Protestants would not consent to a verdict of acquittal, in a case that was, to them, perfectly clear, the jury was obliged to be discharged.

Some clauses were then added to the Bill, by way of rider, and an Amendment of Mr. J. P. Grant, limiting the operation of the Bill to one year, instead of three, was rejected without a division. The Bill was then read a third time, and passed.

VOTE OF CREDIT.] The Chancellor of the Exchequer moved the order of the day, for the House resolving into a Committee on the Prince Regent's Message, respecting a Vote of Credit. The question having been put,

Mr. *Whitbread* said, he should have hoped, that the right hon. gentleman would have stated to the House some ground for this vote. Excepting last year, when the vote of credit was five millions; the three preceding years, this vote had been but three millions, and this was at times of great difficulty, and when emergencies might have been expected. At the present period, no emergencies were to be apprehended—no circumstance was existing in the world, in fact, which could make it necessary, that so large a sum as that which had been intimated by the right hon. gentleman, should be placed at the disposal of the crown. He knew of no hostilities which existed, or could be anticipated, except the war with America; and the character of that war was not of a nature which could require the expenditure of any very great sums. While upon the subject of America, he thought it expedient to ask the right hon. gentleman, whether any negociations were going on, with respect to that country? and whether any persons had been appointed to meet the American deputies at Gottenburgh, with a view, if possible, of putting an end to the war, without a further effusion of blood? That such negociations were going on, would be a fact extremely pleasing for the House to hear. There was another point, to which he was also desirous of adverting, and that was, the fact of a large British army being yet employed in the Low Countries; the whole of which was placed under the command of the hereditary Prince of Orange. He thought some ground ought to be stated, why the command of these troops was taken from British officers, and given to the Prince of Orange. With respect to Sicily, too, this was a subject which required attention; and he could not help expressing a hope, that, at the approaching Congress, some representative from the Genoese states would be allowed to be present, so as to have an opportunity of pleading the cause of that republic. To return to America, he had heard that, of late, a mode of warfare had been adopted in that country, under sir Alexander Cochrane, which he considered not a legitimate one, and which, he feared, would recoil, in the most disastrous manner, on our colonies. He alluded to proclamations which, he understood, had been issued, specifically inciting the negroes of America to rise and revolt against their masters; and he held in his hand a proclamation, which indirectly held out that incitement, by inviting persons either to enter the British navy, or, if they did not like that, promising them settlements in the British colonies. He hoped, that these proclamations would be disavowed by his Majesty's government, as they were not legitimate weapons of war. In conclusion, he trusted the right hon. the Chancellor of the Exchequer would give some explanation before the Speaker left the chair, which would satisfy the House, that the vote he was about to propose, was necessary on the present situation of affairs.

The *Chancellor of the Exchequer* said, that if the country had been in an actual state of peace, some justification might be necessary for proposing the vote, the amount of which was not yet under consideration, but which he had no hesitation in stating, would be three millions. The war with America, would, of itself, be considered a sufficient ground for placing this sum at the disposal of the crown. That this was a war by no means of a trifling or insignificant description, he believed the House would admit; and, he apprehended, it would be conceded with equal readiness, it was a war which might call for the assistance of very great resources; consequently, the proposal which he should make in the committee, would stand fully justified. Independent of this, however, those who had observed the state of Europe, must have remarked, that we had not yet arrived at that state of ultimate security, which usually succeeded the signing of a definitive treaty. It was a matter of public notoriety, that the future state of Europe, was a subject which had yet to undergo discussion at the approaching Congress; and, on such an occasion, he need hardly say it would be prudent to place the crown of this country in such a situation as would enable it to support its interests with vigour and effect.—The hon. gentleman had animadverted upon the employment of a British army in the Low Countries. He apprehended, however, that neither the House nor the country would think the government could be justified in leaving our old allies in that quarter of the world unprotected, until the final settlement of the definitive treaty had taken place. And, he believed, the House and the country would be as little disposed to object to the nomination of the illustrious character, who had been alluded to, to the command of that army; the more especially when it was recollected, not alone, that he was nearly allied to the royal family of Great Britain, but, that he had received both his military and political education under British auspices. He thought a more becoming proof of our confidence in that august prince could not have been given, than the appointment which he had received. With respect to the particular enquiry which had been made, as to the main object of the vote of credit, he considered it necessary to recall to the recollection of the House, that a great proportion of the subsidy to our allies had not yet been paid; and upon reference to the treaty at Chaumont, it would be seen, that we had engaged to guarantee to Russia nine months, and to Austria and Prussia seven months pay to their troops. We had also to pay the armies of Spain and Portugal, which had not yet reached their own countries, and the expenses of which could not at present be specially stated. These were circumstances, which, combined with those he had previously stated, he imagined, would induce parliament to think, that the vote he intended to move in the committee, would be neither exorbitant nor unnecessary.

Mr. *Tierney* thought, that if any money was wanted for the pay of the troops in our service, it should have been made a part of the army extraordinaries. The other reason assigned for this vote, that of enabling the noble lord to appear with proper importance at the approaching Congress, he considered the worst reason which could be assigned; for, in his estimation, in point of principle, it was extremely objectionable, that a plenipotentiary should have a large sum at his command. Upon the whole, he believed this to be but a round-about way of adding to the army extraordinaries. He, however, ventured to express a hope, that no delay would take place in the next session of parliament, in arranging a peace establishment; and that the whole state of the finances of the country, would be submitted to the investigation of a committee. It was extremely important, that the country should know, as soon as possible, whether the Income-tax was to be continued; for although this was a circumstance which he did not consider very likely, yet the doubt which existed upon the subject, placed the landed interest under very peculiar embarrassments, in consequence of many leases having expired, which could not be renewed under the uncertainty which prevailed on this head.

Lord *Castlereagh* observed, that his right hon. friend, the Chancellor of the Exchequer, had given a very correct outline of the circumstances under which the intended vote of credit was to be submitted to the House. The war with America would require to be carried on with extraordinary vigour; and demands, of an extended description, might, in consequence, become necessary on the Treasury. There was another branch, however, to which it was extremely important to call their attention. The other side of the House seemed to conclude, that the moment peace was established, all further solicitude should cease. It should be recollected, however, that the whole state of Europe was yet to be discussed; and that, although there was every moral certainty of a satisfactory peace being finally concluded, it was both wise and politic, that we should be prepared, in the event of other results, to maintain our own power and dignity with becoming strength. It should also be recollected, that at the treaty of Chaumont, exclusive of our contribution of soldiers, an engagement had been entered into by this country, to furnish a subsidy proportionate to the troops of the other powers; and a convention had since been entered into between the four powers, Russia, Prussia, Austria, and Great Britain, which had not yet been exchanged, and which, of consequence, he had not been able to lay before parliament, in which this agreement had been again recognised—[Mr. Whitbread here asked across the table, what was the date of this convention?] He did not exactly recollect the date, but he should be able to state it before he left the House. This fact, however, added to the policy of being prepared for the worst, he trusted, would operate as a sufficient ground for the vote in question. With respect to the general state of the negociation with America, he had to observe, that commissioners had been nominated by this country, and were proceeding to the place appointed for meeting the deputies. He knew of no unnecessary delay to their immediately commencing their functions; but when he last heard from Paris, he understood M. Gallatin had not left that city. With respect to the proclamation of sir Alexander Cochrane, inviting the blacks to revolt against their American masters, he believed no such document to be in existence, although he did understand, that in consequence of several persons resident in America, having expressed a desire to place themselves under British protection, a proclamation had been issued, offering them an asylum in the British colonies. As to Sicily, he was not able to state what system his Majesty's government might hereafter deem it expedient to recommend with respect to this island.

Mr. *Whitbread* could not comprehend from the statement of the noble lord, the necessity which existed for keeping up a great armament, under the present circumstances of Europe. This country was at peace with all the great European powers; all hostilities had ceased; and unless it was dreaded, that some of them intended to recur to those principles of aggrandisement and ambition, which had proved so fatal to the repose of the world, and which were generally supposed to have been overthrown, where was the necessity for maintaining an extensive armed force? For his part, he saw nothing in the conduct of any of the European powers, to justify this country in going to a great expense, for the purpose of supporting any part of the projected armament. The noble lord said, that a convention had been entered into; however, as it was not yet ratified, he could not give the House any specific information relative to it; but, in the next session it should be laid before parliament. Now, in his opinion, the noble lord might, on the present occasion give an outline of it. Surely he could state to the House, what force was intended to be kept up—what expense this country was to bear—and what was the object of this general armament. The public naturally looked with great anxiety towards the ensuing Congress; and, he hoped, when the noble lord returned from it, he would be able to place his hand on his heart, and say, that he haddone his duty to this country; and that the other powers had shewn a perfect willingness to conform to those arrangements which the interests of mankind required. He looked for the amelioration of those kingdoms that had been oppressed, and which ought to be restored. He looked to the freedom of that struggling country, Norway, than which no nation had ever been treated with more indignity or injustice! He trusted that the definitive treaty would be of that honourable character, which would add splendour to the history of this country, and would be consistent with the dignity of all the powers engaged. He hoped the spoliation of Genoa would not be permitted; and he trusted the restoration of Poland would be attempted. He should be happy to see Finland given up, as the means of saving Norway. The annexation of that country to Sweden, if not the grossest act of tyranny and injustice ever perpetrated, was, politically speaking, with regard to Great Britain, one of the worst circumstances that could have happened to her. He had been drawn into these observations, because he should be glad to have the fullest information on these interesting subjects, at a moment when they were in the constant habit of congratulating each other on their improved condition, when the common routine of conversation turned upon the public rejoicings,—and when they were about to witness the final spectacle, representing every thing that was magnificent, in honour of the peace. He should be glad to know, what weight of subsidy England was to bear, instead of furnishing her quota of troops. At the same time, situated as this country now was, he did not think any want of military force could be pleaded, as creating a necessity for the subsidy. He had heard a report, within a few hours, that a number of Prussian troops had been taken into our pay to send to America; on this point also, he desired explanation.

Lord *Castlereagh* was sure, the hon. gentleman would have accused him of making a very bad bargain, if he had agreed to send out British troops to the continent, instead of paying an equivalent. With respect to the present state of Europe, what he said was, that this country should not, on account of the peace, dismiss all precaution; he never meant to insinuate, that they should entertain any alarm, or harbour any suspicion, as to the permanency of the present pacification. There was, in the very nature of the state of Europe, at this moment, sufficient ground to call for, and justify, a very large expenditure; and the convention was entered into for the mutual accommodation of all. It was considered equitable, that an expense, incurred for the benefit of all, should be defrayed in equal proportions. The hon. gentleman should recollect, that there was a great part of Europe at present occupied provisionally, In this situation were some of the countries on the left bank of the Rhine, as well as territories beyond that river. There was also a portion of Italy, and the entire kingdom of Piedmont, thus situated. The king of Sardinia, to whom the latter territory belonged, if he were put in immediate possession of it, had no troops to guard it. It was therefore provisionally occupied by Austrians; and, at Genoa, this country had, he believed, a small force. But the whole of the territories which had changed masters, and which were subject to the approaching discussions at Vienna, must necessarily be occupied, on a very large scale, until their situation was definitively settled. It would be unfair, that any particular power, should be obliged to bear the expense consequent on this occupation; and, therefore, it was deemed advisable, that the four great powers should, by the convention of Chaumont, equally support the necessary armament. What he had stated, sufficiently shewed the ground on which it was judged expedient to keep a great military force on the continent. With respect to the question which the hon. gentleman had asked, as to the amount of subsidy to be paid by this country, he declined to answer it; because it was not consistent with any principle of common sense, that the House should be put in possession of one fact, when they could not examine and discuss the whole subject fairly. It was much more constitutional to leave the business in the hands of his Majesty's ministers, who were bound to lay the entire subject before parliament as soon as circumstances permitted. This was his only reason for refusing the information; for, he believed, when parliament were acquainted with the convention, they would not be displeased with it. There was nothing in the general state of Europe calculated to excite alarm in this country; and he was convinced, that the same honourable principles which guided the confederacy in a long and arduous struggle, would distinguish their conduct in what remained to be done. As it was his wish, so it would be his endeavour, to prevent any act that would disgrace the close of their career.

Mr. *Tierney* enquired, whether the convention could not be laid before parliament, prior to the termination of the session?

Lord *Castlereagh*—The time will not admit of it.

Mr. *Tierney* wished to know, whether any part of the expense which Great Britain was accountable for, under the convention, had been provided for under the estimates already disposed of?

Lord *Castlereagh* said, certainly, as far as any British troops were at present serving on the continent, they were provided for in the present year.

Mr. *Tierney*—Then it appeared that part of this expense was provided for in the present, and part must be made good in the ensuing session. Now, until that period arrived, a great expenditure would be made by government, of which the country would not know a single word. If the noble lord had stated the fact sooner, perhaps some discussion might have taken place, and some useful information have been elicited. In his opinion, some statement ought to be made to the House on the subject.

Lord *Castlereagh* said, there was no instance where information of the description alluded to had been laid before the House, in the manner now called for. It could only be done in the way he had stated. Until the arrangement was in a shape to be considered, until the whole convention was regularly communicated to the House, the information demanded could not be submitted to them. It was sufficient for him to state, that the situation of Europe was such as rendered it necessary, that a large force should still be kept up, the expense of which was to be defrayed by a joint contribution.

Mr. *Tierney* did not mean to doubt, the propriety of the arrangement made by the allied powers, but when this country was bound to sustain a heavy expense, he should be glad to have heard some specific statement on the subject. No intimation had before been given, that such a convention was about to be concluded. The noble lord, had said, there never was a case, where information was granted, under such circumstances. But he would ask, was there ever a case, where the people were told to rejoice for a general peace; and, between the commencement and the termination of their rejoicings, it was notified to them, that a new convention had been entered into, by which it would be necessary to continue a war expenditure?

Mr. *Whitbread* was desirous to have more direct information, with respect to the American negotiation, than the noble lord had given to the House. With respect to Mr. Gallatin, he might have remained at Paris, under the impression that commissioners were not yet appointed by this country; therefore, his delay in that capital ought not to have prevented this government from making the necessary arrangements. He wished to learn, whether this country shewed an alacrity to make peace with America? The impression certainly was, that a backwardness was manifested by this government, in meeting the gentlemen appointed on behalf of the Americans, and who had been for a long time in Europe. He could very well understand the necessity of keeping up a force on the continent, for the protection of territories, not yet definitively settled; but when the noble lord spoke of it as an armament for the common safety, it appeared to him as if some enemy was in existence, against whom it was necessary to make head. After the treaty of Chaumont, it might be right to keep up a great force for the purpose of preventing France from breaking that treaty; but the state of things being now entirely altered, he could not see the necessity for the great armament spoken of by the noble lord.

Lord *Castlereagh* said, if the hon. gentleman supposed that any thing he had said, was aimed invidiously at any power—if, for instance, he thought that his expressions pointed at France, he was utterly mistaken in imputing to him such an intention. The armament, he must again observe, was incidental to that state of things, in which the war was terminated. With respect to the American commissioners he could assure the hon. gentleman, that there was no deficiency in alacrity, on the part of the British government to meet them. They had regulated the departure of the commissioners from this country, with reference to the time at which the American commissioners would arrive at the place of destination.

Mr. *Wilberforce* expressed his hope, that an opportunity would present itself at the approaching congress, of considering the condition of all the powers of Europe, in a more extensive manner than had occurred since the treaty of Westphalia, the state of Poland would form a part of their deliberations. He could not but hope, also, that on any occasion where the interests of that country should be discussed, all the weight and influence of this, which must now be undoubtedly great, would be thrown into the scale in its behalf. He had always considered the partition of Poland as the foulest blot in the character of modern Europe; and, he was persuaded, there was no subject in which the people of this country would take a more lively interest than in the future condition of that kingdom. His noble friend was almost too young to remember the sensation excited in this country at the period of the last partition in 1792; but he, (Mr. W.) well remembered the lively feelings that were entertained by all classes, and the spontaneous meetings which were held on that occasion. As a member of the British parliament, he should not think he discharged his duty, if he did not call upon the government to exert all its influence at the Congress, in behalf of that unhappy country.

Mr. *N. Calvert* did not mean to defend the partition of Poland; but he would rather that country should remain in its present situation, than that its former tyrannical feudal government should be restored. Under such a government, rational creatures never could be happy.

Mr. *Whitbread* begged to remind the hon. gentleman, that, at the period of the infamous partition of Poland, the feudal government had been overthrown. It was in defence of the reformed government, by which the crown was rendered hereditary, and the representation of the people was established by law, that the brave Poles had shed their blood.

Mr. *Wilberforce* supported this observation, and quoted the sentiments of Mr. Burke on the subject. That great man contrasted the French with the Polish revolution, and said of the latter,—"Here is an instance of a revolution, accomplished without bloodshed—a revolution which is likely to procure for these people all the blessings derivable from the principles of the British constitution."

Mr. *N. Calvert* was not perfectly conversant with the historical fact; but he believed the Polish constitution was merely ephemeral; it never assumed any powerful consistence.

Mr. *Whitbread.* How could it exist, when Russia, Prussia, and Austria, were at its throat?

The Speaker then left the chair. In the committee, the Chancellor of the Exchequer moved for the sum of 3,000,000*l.* to enable his Majesty to meet such demands as the urgency of affairs may require.—Agreed to.

Aliens Act Repeal Bill.] The House went into a committee on this Bill:

Mr. *Whitbread* stated his liable objection to the principle of the measure, as one which he thought quite unnecessary in the present state of Europe, and which was liable to be perverted to so many grievous abuses. He adduced, as one instance of petty abuse, a case which he held in his hand, of a person keeping a house of public reception at Gravesend. This person complained that an alien office was established at a neighbouring tavern, in consequence of which foreigners, when they arrived, resorted there, under the idea that it was necessary to do so, to the great detriment and injury of his, the complainant's business. He was sure that in mentioning this case to the right hon. gentleman, he would take the proper steps for enquiring into it.

Mr. *H. Addington* said, that the case alluded to by the hon. member, had come to his knowledge for the first time that day, and that orders had been issued to examine into the truth of it. Upon the clause empowering the Secretary of State to issue his order for placing an alien in the custody of his messengers, upon the mere presumption that the alien was not likely to obey any osder or proclamation for removal, some conversation arose. Mr. Whitbread and Mr. R. Smith opposed it as a dangerous and unnecessary stretch of power, totally uncalled for by the present condition of Europe, while Mr. H. Addington and Mr. Peel defended it as a necessary measure of precaution. After some further discussion, in which the Attorney and Solicitor-General, and Mr. Stephen, participated, the clause was postponed. The other clauses then went through the committee, with some amendments; and the House having resumed, the Report was received, and was ordered to be taken into further consideration on Friday.

## HOUSE OF LORDS.

### *Thursday, July* 21.

Bank Restriction Bill.] Upon the motion for the third reading of this Bill,

The Earl of *Lauderdale* took the opportunity of expressing his hope, that this system of restriction would speedily cease, and that the country would be restored to its ancient circulation, upon the restoration of peace. He hoped, that his Majesty's ministers would on this occasion give some promise to the House, that this subject should meet the early attention of the next session of parliament, and that though ministers had the power which they had already thought proper to exercise, by drawing from the Bank of England 400,000*l.* it was an authority which would never be exercised but under the most urgent necessity.

The Earl of *Liverpool* said, that peculiar circumstances rendered the continuance of these restrictions necessary for some time longer, on account of foreign bills unpaid, and subsidiary grants unfulfilled; but if gold and silver had fallen so much, notwithstanding the circumstances he had mentioned, it would, in the course of six or seven months be better attested by experience, whether the system so often recommended by the noble lord, or that which had been pursued, was most likely to be the most beneficial for the country. However desirable, after these inconveniences were removed, it might be to return to the ancient system of circulation, it was a step which must be taken with due caution, and not too precipitately. With respect to the 400,000*l.* which ministers had thought proper, on the most extraordinary occasion, to employ for the service of the country, it was a measure certainly that would never be resorted to but when emergent necessity, like the past, required it, and when it was likely to produce effects similar to those which had lately justified it. He agreed with the noble lord on the propriety of taking an early period of the next session to call the attention of parliament to this system of restriction.

The Bill was then read the third time and passed.

THE PRINCESS CHARLOTTE OF WALES.] Earl *Stanhope* observed, that the House stood summoned for to-morrow, on a motion of an illustrious duke who was now severely indisposed. Some observations had yesterday been made upon the subject, which his lordship had felt it his duty to communicate to his royal highness as well as his memory would allow, thinking it but fair to an absent individual. His lordship had received an answer, stating, that if his health were such as to allow him, his royal highness would attend in his place this evening, adding, that he should be extremely unwilling twice to call upon the House. His lordship understood that to mean, that his royal highness would be unwilling to fix his motion again, and then again, from illness, to be obliged to postpone it. Not seeing the illustrious duke in his place, it was to be presumed that his illness prevented his attendance; and, in such a case, Monday or Tuesday were named, as days which might be appropriated to the motion. Under these circumstances, his lordship conceived, that he was sufficiently authorised to relieve their lordships from the trouble of attending to-morrow. He, therefore, although he had no anxiety upon the question, suggested that the motion for summoning the House for to-morrow should be discharged, and that it should be fixed for Tuesday next. At all events, the summoning of the House on that day would be proper, since, if his royal highness were not then able to attend, there was a Bill to be read which deserved the most serious attention.

The order for summoning the Peers to-morrow was then discharged, and it was ordered that the Peers should be summoned for Tuesday.

IRISH PRESERVATION OF THE PEACE BILL.] Upon the order of the day for the second reading of this Bill,

Viscount *Sidmouth* shortly stated the regret he entertained, that any necessity should exist for this measure; because nothing but necessity could render it expedient. There were, however, districts in Ireland, where such a system of terror and outrage prevailed, as to stop the administration of justice, and to suspend the functions of country magistrates. Sometimes the demand was, that a certain rent should be given, and those who dared to give a higher rent, were exposed to the dreadful punishment of carding; and, at other times, such persons incurred the punishment of death. The present Bill enabled the lord lieutenant of Ireland, with the advice of his council, to declare these districts in a state of outrage; and to send a magistrate, and extra constables from Dublin, to put in force those laws which the local magistrates were afraid to execute. He moved, that the Bill be read the second time,

The Earl of *Carysfort* approved highly of this measure, on account of its temper and moderation. It was unlike those violent measures resorted to by former administrations, which were calculated to oppress, at least, the lower order of the subjects of that kingdom, and consequently to do injury to the interests of the whole empire, and tended, in their consequences, to make the government of Ireland one of the worst which existed. With all his approbation of the present Bill, there were certain parts of it which might have been expressed with more accuracy and propriety.

The Earl of *Limerick* could not, as connected with Ireland, permit some expressions of the noble earl, to pass entirely unnoticed. With respect to former measures, which were termed violent, they arose out of causes which rendered them indispensably necessary. The noble earl had said, the government of Ireland was one of the worst; but he would ask how, when, and where? If the noble earl thought so, why did he not rise in his place, and arraign that government? As, to the Bill, with all his respect for the talents and disposition of the noble viscount, he was extremely doubtful, that on account of its leniency, it would not have the desired effect.

The Bill was then read the second time, and ordered to be committed to-morrow.

## HOUSE OF COMMONS.

### *Thursday, July* 21.

Princess of Wales's Annuity Bill.] The House having resolved itself into a committee on the Princess of Wales's Annuity Bill,

Mr. *Tierney* proposed that the words "during the life of her Royal Highness," be left out, and the words "for the joint lives of her Royal Highness and his Majesty," be substituted.

Lord *Castlereagh* said, that the proposed amendment was consistent with the other provisions of the Bill, and he had, for himself, no objection to it. But there was a difficulty which, perhaps, some of the gentleman opposite to him could remove; that, as the Bill had been communicated to the Princess of Wales in its present state, viz. as a grant for life, he should feel some reluctance to agree to narrow that grant without the consent of her Royal Highness. It was never intended to convey, by the Bill, the idea that the proposed grant of 35,000*l.* a year, would be a suitable income for her Royal Highness, when she had ascended the throne, as her revenue would then necessarily come under the consideration of parliament, in the arrangements for the settling the civil list on that occasion. However, it might be the wish of her Royal Highness to retain the 35,000*l.* a year, as an independent provision for life; and, if that that was the case, it would, of course, be taken into the consideration of parliament in those arrangements. He suggested, that the best course would be, if the right hon. gentleman was not authorised, on the part of the Princess, to consent to the Amendment, to postpone it until the third reading.

Mr. *Tierney* said, that his object was, that the House should not be entrapped into a recognition, that a separation existed between the King and Queen of these realms.

Lord *Castlereagh* said, that it was not possible for the House to recognise a fact which could not exist.

Mr. *Tierney* observed, that it would be, in effect, a recognition that such a separation might, and would, exist, when the Prince and Princess of Wales assended the throne.

Lord *Castlereagh* remarked, that he knew not how it was possible to guard these illustrious persons against such a calamity, even after such an event.

Mr. *Tierney* observed, that it was no great matter that the Prince and Princess of Wales could not meet in the same room; but it would be most calamitous that the King and Queen could not sit on the same throne.

The conversation then dropped.

## HOUSE OF LORDS.

### *Friday, July* 22.

Irish Assaults Bill.] The House went into a Committee on the Irish Assaults Bill. A long conversation took place, as to the wording of the Bill, between the earl of Lauderdale, lord Redesdale, lord Holland, the Lord Chancellor, and the earl of Limerick. In the course of it, lord Redesdale, to shew the disposition of the lower class of the people of Ireland, mentioned a circumstance of his observing some men beating another; and, on his enquiring the cause, he was informed, that it was because the man they were beating was a taylor; and it turned out, that they had been assaulted by some taylor, and had, therefore, come to the determination of beating every taylor they met with. Lord Holland, in the course of the conversation, observed, upon the anomaly of applying these kind of Bills to Ireland alone, and remarked, that if that principle were to be acted upon, they ought to go into an enquiry as to the necessity for such measures, and the causes of that necessity. It was at length agreed, that the Chairman should leave the chair, and the committee sit again on a future day.

Spain.] Lord *Holland,* seeing the noble lord in his place, rose to ask a question relative to a story which was in circulation, namely, that three persons, who had been under what he should call persecution in Spain, for political offences, had taken reuge in Gibraltar, and had been, by the authorities there, delivered up to the Spanish government. Now, there was no treaty between this country and Spain, by which we were under any obligation to give these persons up; and, without any such obligation, he hardly thought the circumstances such as to call upon us to deliver them up. He wished to know from the noble lord, whether it was true, that these persons had so taken refuge, and had been so delivered up; and, if delivered up, whether that was in consequence of any orders from this country.

The Earl of *Liverpool* knew nothing at all about the circumstances in any official way, so as to induce him to believe that the story was true. It was impossible for him, therefore, to say with certainty, whether these persons had, or had not, taken refuge at Gibraltar; or had, or had not, been delivered up. But one thing he could most certainly say, and that was, that no orders to deliver them up, had been sent from this country.

GLOUCESTER GAOL.] Earl *Stanhope* said, that he had some other petitions to present, from prisoners confined in this extraordinary gaol of Gloucester; and, really, the conduct of the persons who had the charge of that gaol, if the allegations in the Petitions were true, was the most wanton, unjust, tyrannical, and oppressive, that had ever been heard of. The Petitions were from three several persons. One of them stated, that having written a letter to a young lady, to whom he was engaged, a Mr. Symmonds, who had some charge in this gaol, had refused to let the letter go out without being inspected, such, he said, being his orders. It was also stated, that one of the prisoners, having written a letter to his wife, that was not allowed to go out without being inspected. It was further stated, that a prisoner had been put in irons, for attempting to Petition their lordship's House. What! a debtor put in irons, for petitioning their lordship's House! Was this England? Why, it was hardly credible. It looked as if they had been crazy, otherwise they could never have ventured to bid such open defiance of the law. But it was further represented, that when one Mogg, a respectable attorney of that place, called for the purpose of waiting upon a prisoner, who wished to consult him about some legal business, admittance was refused; and, when Mogg adverted to the letter of lord Sidmouth, commanding the gaoler to allow the prisoners to consult their legal advisers, Mr. Cunningham answered, that he did not care for lord Sidmouth. Mogg might easily be examined at their lordships' bar, to ascertain, whether this statement was correct. Another allegation was, that a prisoner wishing to give instructions to his attorney, relative to the procuring an order from lord Ellenborough respecting his trial, was prevented from seeing that attorney; or prevented from writing him a letter, without its being inspected. A person tried and found guilty, or a verdict found against him, because he was not allowed to consult his legal advisers! It could hardly be believed. He really did not know how their lordships felt; but he had never, in his life, been more indignant.

The Petitions having been laid on the table, it was agreed, that they should be taken into consideration on Tuesday; lord Stanhope engaging to give notice to Mogg to attend to be examined.

## HOUSE OF COMMONS.

*Friday, July 22.*

PETITIONS TO ABOLISH IMPRISONMENT FOR DEBT ON MESNE PROCESS.] Sir *F. Burdett* presented a petition from Walter J. Baldwin, esq. which, he said, contained the account of a case of great oppression under the present system of imprisonment for debt. The petitioner had been arrested under a charge of debt, and had taken every legal means to obtain his discharge, yet he had been detained more than eleven months, although, on his liberation, the judge said that there had been no ground whatever for his arrest. It was too late to take any measures on the subject in the present session; but early in the next, he should make some motion on the subject of the grievance complained of in the petition.—The petition was read, and ordered to lie on the table.—The hon. baronet presented also another petition, of a similar nature, from John Abraham Von Lengerke, formerly of Bremen, complaining, that he had been arrested in this country for a debt contracted at Bremen, for which he would not have been liable in that place, as he had made a surrender of his goods as a bankrupt, and obtained a certificate after the manner of that country.—Ordered to lie on the table.

SPANISH FUGITIVES.] Lord *Morpeth* said, he had read in a morning paper, an account of three Spaniards of rank having been seized by the governor of Gibraltar, in which they had taken refuge, and delivered up to the Spanish government. He wished to know from the noble lord opposite, whether any orders on the subject had been issued to the governor? He also wished to know, whether any applications had been made to the Spanish government in favour of those persons who had acted, perhaps, imprudently on their ideas of liberty?

Lord *Castlereagh* said, he was totally ignorant of any such transaction as had been alluded to. The correspondence with Gibraltar did not come exactly within his department; but he had not heard of it, and his hon. friend (Mr. Goulburn) near him, connected with the other department, knew also nothing of it. There had also arrived dispatches from the court of Spain within the last three days, which alluded to nothing of the kind. He should, however, make further enquiries on the subject and communicate the result to the noble lord. He could state, that all the legitimate influence this country could use with the court of Spain had been employed in a manner which the noble lord would highly approve of.

GOVERNOR GORE.] Mr. *Goulburn* wished to know whether it was the intention of the hon. gentleman opposite to make the motion, of which he had given notice, respecting governor Gore? He was anxious to bring the question to a discussion in order perfectly to clear the character of that officer.

Mr. *P. Moore* said he was in expectation of a petition which was to be presented on the subject of Mr. Gore's government.

Mr. *Goulburn* was anxious that a refutation of the charges against col. Gore should go forth in the same session in which the accusation had been brought.

Mr. *Wrottesley* thought the question ought speedily to be brought on.

Mr. *P. Moore* said, that the postponement of the motion had not arisen from any neglect of his, but from the quantity of information which had poured in on him from all quarters respecting Upper Canada, which caused the private injuries which he had at first intended to redress, to merge in the general question.

Mr. *Onslow* thought it unfair that charge should be so long kept hanging over colonel Gore.

ALIENS ACT REPEAL BILL.] On the motion for the re-commitment of this Bill.

Mr. *Whitbread* wished to know, if the hon. gentleman had received any information respecting the Alien-office at Gravesend being kept at a public-house?

Mr. *Addington* said, he had received a letter from Mr. Walsh, inspector of aliens, denying that he had been offered or accepted, any recompense for holding the office at a public-house. His only motive for having the office there, was, as he stated in his letter, that it was most convenient, and was besides a saving to the public.

Mr. *Whitbread* did not see any reason why the inn-keeper should have the office held at his house, unless he gave some consideration for it. It must be a source also of some profit to the inn-keeper. Every person, alien or not, upon his arrival, was swept into this public-house. He held a letter in his hand, which informed him, that a Mr. Woodford offered 150*l.* a year for having the office at his house. To this application he received no answer from Mr. Walsh, who, it appeared, if his information was correct, did the business by deputy, and did not appear himself at Gravesend more than once a week. Even admitting that the office, as stated, was kept at a public-house for 15 years, that was no reason why an abuse of this kind should continue. The letter to which he alluded was written by the solicitor of Mr. Woodford. He would not vouch for its truth; but the matter deserved enquiry.

Mr. *Addington* did not think that the testimony of so respectable a man as Mr. Walsh should be disregarded or outweighed by mere assertions, of which there appeared no sort of proof.

Mr. *Whitbread* said, this was always the mode of defence, when any charge was insinuated against a person in office. He was highly respectable; he was a most worthy and conscientious person! All men in office were, of course "highly respectable and worthy;" how, then, did it come to pass, that defaulters were sometimes found among them?

The Bill was ordered to be read the third time to-morrow.

## HOUSE OF COMMONS.

*Saturday, July 23.*

LETTER FROM MR. HATSELL, THE CLERK OF THE HOUSE, TO THE SPEAKER.] The Speaker acquainted the House, that he had received the following letter from Mr. Hatsell, the Clerk of the House:

"*Cotton Garden, Saturday, 23d July*, 1814.

"Sir; In consequence of the melancholy event of the death of Mr. Ley, my late deputy, it having become necessary to make another arrangement of the several clerks attending at the table of the House of Commons, I will beg the favour of you to acquaint the House, that I have appointed Jeremiah Dyson esq. (the present clerk assistant) to be my deputy, in the place of the late Mr. Ley; and John Henry Ley, esq. (the present second assistant clerk) to be clerk assistant, in the place of Mr. Dyson; and John Rickman, esq. to be the second clerk assistant, in the place of Mr. John Henry Ley; and I hope that this arrangement and appointments will be agreeable to you, Sir, and will meet with the approbation of the House. I have the honour to be, Sir, &c.

"J. HATSELL."

The Speaker said, that if this arrangement was agreeable to the House, he should order the clerks to take their seats accordingly. (Hear, hear!)—J. Dyson, esq. then took his place as clerk of the House; J. H. Ley, esq. as first clerk assistant; and J. Rickman, esq. was called in, and took his place as second clerk assistant.

## HOUSE OF LORDS.

*Monday, July 25.*

CORN LAWS.] The Earl of *Hardwicke*, in presenting the Report from the committee on the Corn Laws, said, that he regretted, that the time which the committee had been enabled to employ in the investigation, had not been such as to justify them in coming to a final and conclusive report on the subject. He should therefore move, that the present report be laid on the table, and printed, together with the evidence, in the intention of moving for another committee early in the next session of parliament.

The Report was then laid on the table, and ordered to be printed with the evidence.

Earl *Stanhope* then rose to propose the resolutions of which he had given notice. The subject, he observed, was so very clear, and so capable of being demonstrated to the satisfaction of every mind, that he should not have to trouble their lordships with many observations. As the report and evidence had been but newly laid on the table, he should not be able to read any extracts from it; but there had been distributed copies of the evidence, printed without their lordships' consent, parts of which he should read. [cry of Order!] If this was disorderly, he would say that it was all a mistake—that the evidence had not been printed—and that the extracts he should read as part of his speech, were from the books themselves on the table. This, he hoped, would not be disorderly. The noble earl then read an extract from the evidence of a Mr. J. Buckland, who stated, that he was a farmer in Essex, and, besides holding land of his own, rented there 700 acres of the land of Mr. Western; being asked as to the difference in the price of labour within the last twenty years, he stated, that in 1794, the money paid by him for labour on his farm, was 274*l.*; in the last year, 816*l.* There had been started, observed the noble earl, a strange proposition, that the price of labour would fall as corn rose. This evidence was a beautiful illustration of that proposition; for while, by the accounts of prices at Windsor, the price of corn had doubled in the last 20 years, that of labour had nearly trebled—there was nothing inverse on the subject. The witness, whose evidence he had read, had been asked, in explanation, whether the quantity of the land in his occupation had increased, he had answered, that it was the same, and that the quantity of labour bestowed on it had rather diminished, as the condition of it had been bettered in his occupation. He also stated, in explanation, that in that period of 20 years, the wages of a ploughman had increased from 7*s.* a week, to 18*s.* to 20*s.*—the poors rate from 17*l.* 19*s.* to 166*l.* nine or ten times the former amount; that, although he had not had more work done, the smith's bill had been doubled; that of the wheelwright trebled; and that of the collar-maker quadrupled. In the price of horses there had been a prodigious increase: horses which then cost 22 or 23*l.* each, would cost now 60 or 65*l.* each. The great tythes had increased from 47*l.* to 109*l.* The same witness had stated, that of late the wages had been dropped, on account of a reduction in the price of corn. The whole of this evidence had been confirmed by another witness, who rented 2,000 acres. It was also stated, that one-third of the labourers had been lately discharged, on account of the present pressure, arising from the low price of grain, and that the consequence would be, that one-third less would be produced from the land, as less hoeing would be done. Such was the general nature of the evidence, and it answered the noble earl's purpose very well; for it went directly to support his proposition. Such was the state of things, that if the farmers were to pay no rent, they could not afford to raise corn at the present price. By a letter which he had received from Ireland, he heard that wheat, barley, and oats, were reduced to half the price at which they had been some time ago, and that the farmers generally said, that they could pay no rent; but that they had no wish that they should be relieved by any measure which might screw up the price of corn. The petition, which he had presented from very respectable corn growers near Peterborough, reprobated also such a line of conduct. The petitioners stated, that their ruin must ensue from the present state of things, if something was not done; but, like honest men, though corn-growers, they disclaimed any idea of raising the price of corn. They begged, instead, that the House would adopt the resolutions which he was about to submit to them. In another letter, which he had received from Devonshire, it was stated, that greater distress existed among the farmers than had been known for 20 years —that the corn was unsaleable, and that cattle had fallen to half its former price. If such was the state of things, and all sides disclaimed the idea of raising the price of grain, what was to be done, but to unburthen the growers—to diminish the taxes which bore most heavily, directly or indirectly, on the farmers, or on the labouring classes, or on both? Could one justify such a tax, for instance, that on horses of agriculture as such? or the tenants' Property-tax? The landlord would not pay these taxes; the clergyman would not pay these taxes; so the farmer was, by necessity, obliged to raise the price of his corn to the consumers. Among these consumers was the labourer, who, when the price of his bread was raised, found it necessary to raise his wages. The farmer, again, when the price of labour was raised, found it necessary t raise his corn a little more: so that th evil, alternately cause and effect, went o increasing to a prodigious extent. Besides the taxes he had mentioned, ther was the impolitic and vile tax on candles those on loaf and coarse sugar, and tha on leather, which pressed directly both o the farmer and the labourer, which shoul be all repealed, The amount of all th taxes 40 years ago, was only ten millions At present, the amount of the permanen taxes was 33,000,000*l.*; of the yearly taxes granted to pay off exchequer bills 5,000,000*l.*; of the war taxes, 23,800,000*l.* so that the whole of the taxes amounted t 62 millions. If one-half of the war taxe were repealed, there would yet remain 1 or 12 millions. The resolution which h should propose, would merely shew ou of what fund the taxes to be repeale should come. By repealing these taxes the labourer and cultivator would be placed in almost as good a situation, as i there had been no national debt. A another instance of the increase of the necessaries of life arising from the taxes his lordship quoted a part of the evidence taken on the committee on the country bakers' Bill in the House of Commons; and proceeded to ask, how it would b possible, as it had been found inexpedient, even when the farmers were on the wrong side to carry through the famine-mongering Bills this session, to pass them in the next session, when the farmers, as it appeared by the petition from Peterborough, were against them. In favour of his propositions, he should have not only the farmers, but the manufacturers; and the clergy, were, or ought to be, on the same side; because, if the taxes were not repealed, the tythes would be attacked. A sensible member of the corn committee had begged him (earl Stanhope) to attack the tythes. But he had answered, No! for he should attack the taxes. In favour of the repeal of the duty on coarse sugar, he should have the West India and the East India interest, and the landed interest, would also encourage a reduction of the taxes on the land holders; so that all the great interests of the country would be in favour of his resolution. He had often been in small minorities, in attempts which had in the end succeeded; he had been in a minority of four, on a proposition for abolishing the Slave Trade, and had finally been one of the large majority which carried that measure. When he had introduced the Gold Bill, he had been opposed on all sides; but soon proselytes, convinced by plain sense, flocked to him from all sides, and he had very graciously received them. He did not, therefore, despair of the success of his resolution. A strange proposition had been started by a noble earl (Lauderdale), that when corn was high, manufacturing labour became low. The truth of this had been explained by a witness on the committee, that when corn was high, rather than see their families starve, the manufacturing labourers were induced to exert themselves beyond their strength. He (earl Stanhope) should never consent that any set of men should be reduced to such a slavery. The noble earl then read his resolution, which was, "That to provide for the public an ample supply of provisions at all times, is a national object of the very first importance; but that such ample supply cannot at all times be provided, unless due and steady encouragement be given to the growers of corn and grain in Great Britain and Ireland, so as to enable them to carry on the improved systems of agriculture with advantage, at the same time that it enables them to sell the produce of their farms at moderate prices to the consumers. And that, in order to obtain the said essential united objects, it is highly expedient, that those taxes which bear the most heavily, either upon the growers of corn and grain on the one hand, or upon the labouring part of the country on the other, be repealed, as far as the return of peace shall enable us to diminish our taxes, keeping inviolable faith with the public creditors, and providing for a sufficient peace establishment." After remarking with what caution he had worded his resolution, the noble earl concluded by moving it.

The Earl of *Hardwicke* could not dissent from any principle contained in this resolution, and he wished it to be understood, that, although he should be disposed to move the previous question, it was not from any objection he had to any part of the noble earl's proposition. He would, however, ask, what benefit could result from the present motion? It went to recommend an enquiry as to what taxes it was expedient to repeal; and how could the object be attained in the present session of parliament? There was a term which the noble earl had used, intimating an accusation of the motives of those who differed from him in opinion. It was a vulgar term, and which he had never heard before. He had heard of fish-mongers, cheese-mongers, &c. but he never heard of "famine-mongers." At the same time, it was his duty to remind the noble earl, there might, in this case, be another species of monger, and that was a mischief-monger. He was of opinion, that it would be most advisable to postpone this subject to another session, when they would have an opportunity of considering it maturely, before they came to a decision on what was most material to the interests of the community. For these reasons only, he should move the previous question.

The Earl of *Darnley*, before he entered on the subject of the resolution, wished to know from the noble earl opposite to him (the earl of Liverpool), how it happened, that the contract for meat for Greenwich-hospital, had increased, in the present year, from 4*l.* 5*s.* to 5*l.* 5*s.* per cwt. it being now supplied at the high rate of 1*s.* per lb. He hoped the noble earl, would, on some future day, be able to offer an explanation of it. As to the subject before the House, he agreed in the motion of the previous question, because he defied the noble earl, who moved the resolution, to shew any possible advantage of which it could be productive; for it specified no particular tax. As to the strange phraseology of that noble earl, if it meant any thing, it was an imputation that he (the earl of Darnley) and those who thought with him, had for their object to raise the necessaries of life—an assertion which could only tend to exasperate the public mind. He agreed that the farmer was in a very bad situation; but what was the proper mode of relief should be the subject of their lordships' mature deliberation, so that, in the next session, some well-digested plan might be brought forward.

Earl *Stanhope* replied, that there was a very obvious objection, to the specification of any particular tax; whereas, his Resolution would shew what was the sort of taxes, to the repeal of which they would consent. He had not meant to imply that any noble lords were famine-mongers; neither could he help that the word was a new one; it came into his mouth, and was very applicable. The noble earl concluded by urging the necessity of deciding on his Resolution in the present session, for the purpose of quieting the public mind, by giving an earnest of their benevolent intentions, as well to the grower as the consumer.

The previous question was carried.

The Princess Charlotte of Wales.] The Duke of *Sussex* rose, and addressing himself to the first lord of the Treasury, stated, that this was the day when, from courtesy alone, he had proposed to come down to the House with a view of stating the tenor of his motion, relative to her royal highness the Princess Charlotte of Wales, which stood fixed for Wednesday next. That having found by the newspapers, that her royal highness the Princess Charlotte of Wales had been seen on horseback in Windsor Great Park, and having likewise learned, that she had been in town for a few hours on Saturday last, all of which intelligence he had collected from the public prints, he was inclined to hope that more lenient measures were intended to be observed towards her Royal Highness.

That the noble lord well knew that it was upon receiving an unfavourable answer, to a request which he had made to him of seeing her royal highness the Princess Charlotte, that he had conceived himself obliged to bring this weighty matter forward, from most conscientious motives, and for which purpose, he had put five questions to that noble lord on a previous occasion. That therefore from appearances, and hoping that more conciliatory dispositions were entertained, he would not suggest any proposals which might tend to irritate, rather than to calm the dispositions of individuals at this moment; and consequently he would, for the present, withdraw his intended motion, and move that the order for summoning the Lords on Wednesday next, be discharged.

He trusted that her royal highness the Princess Charlotte would go to the seaside, as had been recommended by her medical and professional attendants, for the re-establishment of her health, which was so interesting to the country at large, and which had been so greatly impaired by agitation of mind. He also flattered himself, that such measures would be adopted to soothe her mind, and not distress her spirits, by pressing certain points which had given rise to this agitation, and upon which he knew her mind was completely made up. That before he sat down, he begged to address a few words to the noble and learned lord on the woolsack, who was so forward in stating responsibility in his Majesty's servants, for the advice they may have given upon this occasion. That he would quote the words, he believed, of lord Bacon, that reading made a learned man, writing a correct man, and conversation a ready man. He would further remark, that retirement, coercion, and seclusion, were not the means calculated to instruct and give her royal highness the Princess Charlotte of Wales the most favourable idea of the beauty and advantages of the glorious constitution of our country, over which she was one day, please God, to rule, and with this remark he should conclude.

The Earl of *Liverpool,* deprecating as he did any discussion upon this subject, only thought it necessary to observe, that no improper restraint whatever had been imposed upon her royal highness the Princess Charlotte of Wales; and that no regulation was wished or intended to be imposed with regard to her Royal Highness by him, whom God and nature had rendered her father and protector, inconsistent with her happiness or welfare. He considered, that the illustrious duke had acted wisely in withdrawing a motion which was not a fit subject for discussion in that House; but he wished it to be distinctly understood, that nothing that had passed in that House, had had any influence with regard to this subject, either in the highest quarter or upon himself, or those with whom he had the honour to act.

Earl *Grey* agreed with the noble earl opposite in deprecating any discussion upon this subject, but thought that the name of the Prince Regent had been improperly and unnecessarily introduced into the discussion. He had no hesitation in avowing that he had advised the illustrious duke to refrain from pressing a motion upon this subject, under all the circumstances of the case. He certainly thought, that it was advisable to abstain, as much as possible, from interfering with the private concerns of the Royal Family: but he by no means agreed, that that House had in no instance a right to interfere. Cases undoubtedly might arise, which might render the interference of parliament expedient and necessary, particularly with regard to the heir to the crown. He agreed, however, that under all the circumstances of the case, it would not be expedient for the House to entertain the motion, the notice of which had been now withdrawn by the illustrious duke; but he wished it to be distinctly understood, that nothing that had been said by the noble lord opposite, or by the noble and learned lord on the woolsack, had had any influence in producing this determination.

The *Lord Chancellor* said, he had never meant to contend that there might not be cases with regard to the royal family, with respect to which it might not be the duty of parliament to interfere; but in the present instance, he maintained that no ground whatever had been laid for that interference. He thought the motion had been very properly withdrawn by the illustrious duke; but he wished it to be distinctly understood, that nothing that had passed in that House had had any influence with regard to this subject upon the advisers of his royal highness the Prince Regent.

The order for summoning their lordships for to-morrow was discharged.

## HOUSE OF COMMONS.

*Monday, July 25.*

Preparations in the Parks.] Mr. *Bennet* asked, whether the Chancellor of the Exchequer was ready to authenticate the estimates on the table, with regard to the erections in the Park, several of which he animadverted upon as grossly delusive? The hon. member also asked, whether it was not intended, as a part of the plan of the new palace, to take from the public some of the covered walks in St. James's park; and whether it was not with that view, the idea of rendering the new bridge upon the canal permanent for the accommodation of the public, which idea was evidently an after-thought, was determined upon?

The *Chancellor of the Exchequer* said, that he would not be responsible for any estimates, but those he himself presented. As to the hon. member's second question, he was fully prepared to state, that the Treasury had granted no authority for any encroachment upon the public walks in St. James's park; and he thought he might also answer for it, that no such authority would be granted before the next session.

Mr. *Wynn* thought that the foreign sovereigns having departed from the country, and such a period having elapsed since the conclusion of the peace, the time was gone by for the proposed celebrations in the Park. A toast of three times three might be very appropriate after dinner, which it would be very absurd to propose after breakfast next morning.

Lord *Castlereagh* considered as a very auspicious feature in the politics of the country, that gentlemen had thought proper so frequently to refer to this subject of the preparations in the Park. For such reference seemed to imply that there was no serious ground of complaint, or such a subject could not, for so many weeks, have excited so much animadversion. With regard to the merit of those preparations to gratify the public, he was ready to say, that he still adhered to the opinion he had before expressed, that it would be found that nothing more had been done than was absolutely necessary to the object in view.

Mr. *Whitbread* said, that he could not conceive why the noble lord should regard the allusions which had been made to the subject under discussion, as implying any wish on the part of the gentlemen on his side of the House, to seek occasions to annoy the noble lord or his colleagues. For there was about the character of this transaction, something so peculiar as to challenge animadversion. Considerable public expense was obviously incurred, and no minister appeared responsible for it. The Lord Chamberlain and the Treasury disavowed it; and could it then be deemed cavilling or quærulous on the part of that House, as guardians of the public purse, to enquire into such a transaction, and to demand some official responsibility for such extraordinary expenditure? For himself, he declared, that he should have thought it a serious dereliction of duty to overlook the establishment of a precedent for the expenditure of the public money, without any official responsibility. Such was the precedent to which the transaction under consideration was calculated to give birth; and therefore he would oppose it, even though he should agree with the noble lord, that no more expense would be incurred than might be expedient, that not a single rocket would be let off more than would be necessary. Then as to the report of an intention to annex some of the covered walks of the Park to the new palace, he thought that report derived some countenance from the concluding statement of the Chancellor of the Exchequer. But recurring to the remark of the noble lord, he thought it better, from the considerations he had stated, rather to deprecate the proceedings alluded to in the first instance, than be hereafter called upon to refuse the payment for wasteful expenditure. That the expenditure was wasteful, would, he apprehended, very soon appear quite glaring; and the extraordinary delay which had taken place in these preparations served to render the expenditure more a matter of regret. The emperor of Russia and king of Prussia, for whom it was understood, these exhibitions were originally intended, had left the country—the principal part of the nobility and gentry had already gone to the country—London itself was, in fact, almost gone into the country. Then to whom was this exhibition to be presented, for admission to which the lottery offices were employed to sell tickets? When was the farrago, so pompously advertised, to be displayed? He wished to know the day fixed upon, either from the noble lord, or any person competent to inform him. It was fair, that the public should have some information upon the subject, after having been so long kept looking for the shew. At the same time, he could not help saying, that if the performance did not exceed the published programme, the public must be very much disappointed. But even were it to exceed the public expectation, were it much longer delayed, all might be right, but the audience would be gone.

Mr. *Wynn* expressed his intention to move an address against any encroachment upon the Park, should such an encroachment be in contemplation; and in this proceeding, he should be governed by the precedent of a similar motion with respect to Hyde Park, some years since, upon which occasion many gentlemen who heard him, could not forget the impression produced by the speech of the late Mr. Windham.

The *Chancellor of the Exchequer* declared, that he was not aware of any intention to encroach upon St. James's-park, nor did he think that any such intention existed.

## HOUSE OF LORDS.

*Tuesday, July 26.*

Gloucester Gaol.] Earl *Stanhope* said, that before he presented some Petitions which he had in his hand, he should state to the noble earl at the head of the Treasury, the case of one of the prisoners in Gloucester gaol. The case was this: a person whom he should call A. was bailed by B.; A. was taken prisoner by the French, and B.'s recognisance being thus forfeited, he was thrown into gaol. He held that there could be no grosser injustice than to keep a man in prison on account of an occurrence, which neither he nor the person for whom he was bail could prevent. The name of the person so confined, was John Perrin, who had also complained of oppression on the part of the gaoler.

The Earl of *Liverpool* said, he would enquire into the case, but thought that an application might be with propriety made to the court of session, at present sitting.

Earl *Stanhope* said, that the debt was a debt to the crown.

Lord *Redesdale* said, that if it was, as he supposed, a recognizance which had been forfeited, because the party did not appear to take his trial, it was rather a debt to public justice. To the consideration of cases of grievances adduced by persons in gaol, there was this objection, that if all such complaints were enquired into, their lordships would have no time left for other matters. As to the case of Gloucester gaol, he had made particular enquiries through sir G. Paul, who was now no longer concerned in the management of that prison, and he was convinced, that no grievances did exist. Mr. Cunningham, against whom the complaints had been made, had been at their lordships' bar, at the time, ready to answer any charges if he had been at that time permitted.

Earl *Stanhope* was astonished at the speech which he had heard from the noble lord, which was called for by nothing before the House. It would be better surely that their lordships should listen to the evidence which they might take at their bar, than to the hear-say evidence of the noble lord.

Mesne Process.] Earl *Stanhope* said, he had a Petition to present on the subject of arrest by Mesne Process, from a foreigner, who had been arrested in consequence of a debt contracted in a foreign country, where arrest for debt was not legal. The Petition was from J. A. Von Lengerke, a native of Bremen. The person at whose suit he had been arrested was also a foreigner. After having been detained from April 2 to the 1st of July, the petitioner had been liberated on account of some defect in the declaration, but the plaintiff having quitted the kingdom, he was left without a possibility of obtaining redress for his illegal imprisonment. His prayer was, that their lordships would provide some protection to strangers against similar outrages.

The *Lord Chancellor* said, that if, under the circumstances stated in the Petition, the petitioner had remained in prison, it was entirely his fault; for on application to any judge, he would immediately have been liberated.

Earl *Stanhope* said, that if such was the case, it shewed more strikingly what Mesne Process was, that a man might be imprisoned without a declaration what the debt was, as was requited by the ancient law. He then moved, that the Petition do lie on the table.

The Earl of *Morton* moved that the Petition be rejected, because the petitioner prayed their lordships to alter the law of the country for the benefit of foreigners only.

The Earl of Stanhope and lord Holland spoke in favour of receiving the Petition on the ground that the protection was by it employed by those who were amenable to the law for any crime; and that it did not follow, from receiving the Petition, that their lordships should take any measure on the subject. The earl of Liverpool, lord Redesdale, and the Lord Chancellor objected to the receiving of it, because the petitioner complained of a grievance which might have been redressed if he had applied to the proper tribunal, and that therefore the application to their lordships was inadmissible; as that House could only take cognizance of evils irremediable by courts of law. The Petition was, on the question being put, rejected.

Earl *Stanhope* then presented another Petition also on the subject of imprisonment for debt on Mesne Process. The Petition was then read. It was from Hannah Jackson, widow, who stated that her husband had been arrested on the suit of a workman, for work done which he had charged at 38*l.* and thrown into the King's-bench prison in the month of May last. The work which had been charged at 38*l.* had been measured by two surveyors, and estimated at 14*l.* only; but the petitioner's husband was detained until he grew very ill, and at last became mad. He was deprived in prison of all proper means of medical treatment; and, after much cruel treament, was locked up in the strong room, where he was kept until the day before his death, which happened on the 18th of July last. The coroner's jury who sat on the body, brought in a verdict, that the deceased had died in consequence of close imprisonment, and want of proper advice. The doctor had affirmed, that if the deceased had been permitted to have a straight jacket, he would, in all probability have recovered; and it had been further stated to the petitioner, that her husband's body had been found to be covered with bruises. The petitioner, when she had heard of her husband's illness, had sold all her effects in the country where she resided, and had come to town, but did not arrive in time to be able to afford relief to her husband. She prayed their lordships to abolish the law for arrest on mesne process, and to enquire into the circumstances of her husband's melancholy death. The Petition was ordered to lie on the table.

DELAYS IN CHANCERY.] Earl *Stanhope* said, he had another Petition to present, which was on the subject of delays in Chancery. It was from a person who complained of the delays which she had experienced in obtaining money due to her; and very wisely complained, not of the persons who administered the law, but the law itself. There was one absurd rule of the court of Chancery, which, to mention, would be sufficient to cause it to be remedied. It was, that on the cause-paper of any day, there were set down so many cases, that it was quite impossible they could all come on, so that the parties were put to unnecessary trouble, expense, and uncertainty.

The Petition was read; it was from Mrs. A. J. Lee, who stated, that she was the widow of Mr. Lee, army taylor, who died 25 years ago, and bequeathed her a third of his property, amounting to 10,000*l.* She had soon afterwards received from the executors 200*l.*; but, instead of paying her the rest, they had plunged her into a Chancery suit, and she had never received in all but 1,100*l.*, the last payment of which was 11 years ago. By this money having been withheld from her, she was prevented from instituting proceedings to recover a large sum of money bequeathed to her by J. Jackson, esq. F. R. S.; and was reduced to such poverty, that she was unable to pay the King's taxes of the last quarter, and was threatened with a distress, under which all her effects would be sold.

The *Lord Chancellor* said, that it did not follow, because Mrs. Lee had expected 10,000*l.* that she was entitled to it; for numerous were the cases where persons applied to the court for legacies which it was not possible for them to receive, on account of illegal, or doubtful acts, done by the testator during his life. As, for example, the granting leases in Scotland, on entailed estates, in which case, it became impossible for the court of Chancery to decide, before, perhaps, twenty cases had been decided in the court of Session. Lord Thurlow (who, by the bye, was not more expeditious than other persons), had declared, on quitting his office, that he heard of no complaints of delays in Chancery, but from persons, who had been themselves the cause of the delays. It was quite impossible for any person, at the head of the court of Chancery, to attend to all the applications made to him, by, perhaps, thirty or forty letters daily, from persons quite unknown to him. As to the case of the petitioner, he would take particular care to enquire into the circumstances, and he would give the noble earl an account of the result.

Earl *Stanhope* said, he thought he had done good, by having enabled the noble lord on the woolsack to make known the real causes of the greatest part of the delay in Chancery.

The Petion was ordered to lie on the table.

## HOUSE OF COMMONS.

### *Tuesday, July 26.*

Thanks of the House given to Major General Henry Fane.] Major-general Henry Fane being come to the House, the Speaker acquainted him, that the House had, upon the 24th of March last, resolved, That the Thanks of this House be given to him, for his able and distinguished conduct throughout the operations which concluded with the entire defeat of the enemy at Orthes, on the 27th of February last, and the occupation of Bourdeaux by the allied forces; and

Mr. *Speaker* gave him the Thanks of the House accordingly, as followeth:

" Major General Fane; it has been your fortune to bear a conspicuous part in the earliest and latest actions of the peninsula war; and, having now closed your services upon the continent, by reconducting the whole British cavalry through France, you have, this day, to receive our thanks for your exertions in the great and decisive battle of Orthes.

" In that battle, the enemy, formidably collected, and strongly posted on groun of its own choice, nevertheless, when assailed on all sides by the valour of th allies, was compelled to seek for safety in retreat; but the conqueror had resolved, that their defeat should be als their destruction; and the gallant commander, whose name has since been enobled by his sovereign, for his exploits a Almaraz, pressing hard upon the enemy's retiring march, the British cavalry, unde your command, bore down upon hi broken battalions, and completed the victory.

" Distinguished, long since, by deed achieved in Portugal and Spain, you hav now obtained fresh trophies, won by you sword in France. Three times, already you have claimed, and received ou thanks; we have thanked you for you gallantry on the days of Roleia and Vimiera, in the glorious stand at Corunna and in the hard-fought field of Talavera and I do now also, in the name, and by the command, of the Commons of Grea Britain and Ireland, in parliament assembled, deliver to you their unanimou Thanks, for your able and distinguishe conduct throughout those operations which concluded with the entire defeat o the enemy at Orthes, and the occupatio of Bourdeax by the allied forces."

Upon which, Major General *Fane* said

" Mr. Speaker; I am most sensible o my good fortune, in having been, for th third time, deemed worthy of the thank of parliament.

" Although I am quite unequal to express, in proper terms, the high sense I entertain of the honours conferred upon me yet, I trust, that the House will believ that I feel them as I ought."

Thanks of the House given to Major-General Lord Edward Somerset.] Major-general lord Edward Somerset being also come to the House, Mr. Speake acquainted him, that the House had, upon the 24th of March last, resolved, That th Thanks of this House be given to him fo his able and distinguished conduct throughout the operations which concluded with th entire defeat of the enemy at Orthes, on th 27th of February last, and the occupatio of Bourdeaux by the allied forces; and

Mr. *Speaker* gave him the Thanks of th House accordingly, as followeth:

" Major-general lord Edward Somer

set; Your name also stands recorded amongst those distinguished officers, whose gallantry was conspicuous in the last great action, which called forth the strength and valour of the British cavalry.

"In defiance of the early scoffs of an insulting enemy, this nation has, during the late continental war, re-established its military character, and vindicated its ancient renown. The nobility of England sent forth its sons to the tented field; and there, trained up under the great commanders who have obtained and dignified the honours of the peerage, they have acted throughout upon the just persuasion, that, in this free country, the willing tribute of respect paid to high rank and birth, can only be secured, by a continued display of the same great qualities which ennobled the founders of their race.

"The profession of arms, which you had gallantly chosen, you have successfully pursued; and, in those provinces of France, where your ancestors, of noblest descent and royal alliance, have, in former ages, fought, conquered, and governed, you have renewed, by your own sword, the claims of your illustrious House to the respect and gratitude of your country. I do, therefore, now, in the name, and by the command, of the Commons of Great Britain and Ireland, in parliament assembled, deliver to you their unanimous thanks, for your able and distinguished conduct throughout the operations which concluded with the entire defeat of the enemy at Orthes, and the occupation of Bourdeaux by the allied forces."

Upon which, Major-General Lord *Edward Somerset* said:

"Mr. Speaker; Deeply impressed as I am with the high honour which has just been conferred upon me, I feel totally incapable of expressing my gratitude in adequate terms.

"The thanks of this House, which must at all times be received with the most lively sentiments of satisfaction, have been rendered doubly gratifying to me, by the handsome manner in which, you, Sir, have been pleased to express them.

"Commanding British troops, and holding that command under the duke of Wellington, a British general can never fail of supporting the character of the British arms. It is to this favourable circumstance, more than to any merit of my own, that I consider myself indebted for the high distinction which I have this day received.

"Sir, I can only repeat, that I shall ever entertain the highest sense of the honour conferred upon me by this House."

Ordered, *nem. con.* That what has been now said by Mr. Speaker, in giving the Thanks of this House to major-generals Fane and lord Edward Somerset, together with the answers thereto, be printed in the votes of this day.

SLAVE TRADE.] Sir *James Mackintosh* presented petitions against the Slave Trade, from Dingwall, in Scotland; from Henley-on-Thames; Droitwich, and Wincanton, from Wicklow, and from several other places. He said, that in presenting these petitions, from the course of the session, nearly the last of that long train of petitions, which might now be safely said, to convey to parliament and to Europe, the genuine, spontaneous, and unanimous opinion of the British nation; he was desirous of saying a few words on the present state of the great question on which that opinion had been thus pronounced. All the petitioners had seen the article in the Treaty with regret and disappointment. Many, among whom he must number himself, had viewed it with feelings which would call for much stronger language; but he was desirous to avoid the revival of every polemical discussion of the subject. He should only guard himself, and those with whom he agreed, from a misconception to which they had been subject. The question, in their view of it, during the negociation at Paris, was not whether humanity, or even justice, was to be imposed on France, but, whether dishonour was to be averted from Great Britain? It was, whether we could be fairly required to restore our colonial conquests, without equivalent, and upon conditions, which, to be consistent with ourselves, we must deem to brand us with the blackest disgrace? We were to restore colonies, all avowedly, and some exclusively, to be converted into the instruments of what we punished in our private subjects, as robbery and murder. This was a humiliation never imposed, in the most disastrous negociation, upon any European nation. It was never proposed to drive France into the practice of general humanity, by the force or the fear of arms; but to repel this foul dishonour from ourselves, at the risk of that alternative of prolonged warfare, which is implied in every serious, at least, in every earnest, proposal of an article of a treaty; and which one party cannot disavow without openly proclaiming, that the opposite party is the master of the negociation. The position of the British negociator at Paris respecting this article was purely defensive. We had only to ward off from ourselves, the ignominious necessity of becoming accomplices in a crime, which our laws had declared to be of the deepest dye, and subjected to the highest penalty. But that vantage ground had been lost, and he only adverted to it for the purpose of self-defence. Much ground still remained; and some had even been gained, since the last discussion of the subject. The unhappy failure in the Treaty had even produced some advantage, by calling forth a general declaration of national sentiment, and arming the noble lord with a more decisive public opinion, than ever a negociator carried into a congress. The principle of our colonial lessons, was itself a great advantage in an equitable discussion of the subject. He agreed with the noble lord, that it was impossible to offer colonies to an independent nation, as the price of humanity. It was as clear an insult to bribe, as to bully a state into the observance of humanity or justice. This was not the manner in which he considered the restitution of the colonies, as connected with the negociation for the abolition. We had ceded these colonies for no equivalent. We could hot have been deprived of them by the events of war. They were ceded in obedience to just and liberal principles, of general and colonial policy, which he should be the foremost to applaud. They were ceded, that France might have a portion of colonial power, which the system of Europe required that she should possess: that sources of wealth and schools of industry might be opened to her population, and that her government might be strengthened in national opinion; an object too intimately connected with the repose of the world not to be most legitimate, if pursued by legitimate means. But England, by her observance of such liberal policy, acquired a right to call upon France to concur with her in regulating the whole colonial system upon that paramount policy which consisted in justice. If one policy required from England the restitution of colonies, another and a proper policy required from France the abolition of the Slave Trade.

He had been informed, that the venerable Pontiff at the head of the Roman Catholic Church, entertained sentiments on this subject becoming his character and his station, and that Christian religion, which had banished personal slavery from the southern and western portion of Europe, and which is doubtless destined one day to banish that stain and curse of human nature from the world. There was no reason to doubt, but he might be induced to interpose an authority revered by so many nations, and to promulgate the sentence of condemnation, already pronounced by religion, against the infernal crime of man-stealing.

The principle of the Slave Trade had been condemned by every maritime and colonial power in Europe or America but one (Spain), which it was at this moment impossible to name without pain and shame. All who had consented to the abolition at the most undefined period had, at all events, condemned the principle. On this point, there was the opinion of the whole civilized world against the practice of some states, and the silent dissent of one nation. There never was a question on which there was such a preponderance of authority.

It must not be said, that the personal opinions of the great military sovereigns had no weight, because they had no colonies and little commerce. These states might become maritime and colonial; and to say nothing of those moral claims which he earnestly prayed that they migh strengthen by the disinterestedness o their policy, they had a direct and important interest in the colonial system, which forms a great and effective part of the balance of power, and of which the stability is interwoven with the habits and accommodations of all Europe.

But of all the authorities lately acquired by the cause of abolition, the mos weighty was, beyond comparison, the noble decision of the government of Holland. Certainly, the cheerful and immediete abolition of this Trade, by the government in Europe, most dependent on colonial resources, and properly most influenced by a colonial interest, was an ac which deserved the admiration and gratitude of all mankind. He rejoiced tha our reconciliation with our ancient friend had been signalized with such an act o atonement and justice; and he was perfectly confident that Holland would soon reap the fruits of her virtue, in the amendment of her colonial administration, which chiefly from being abandoned to foreign adventurers, had hitherto been the chie blot upon her pure annals and estimable character.

Ordered to lie on the table.

Vote of Credit Bill.] The Report of the Vote of Credit Bill being brought up,

Sir *James Mackintosh* observed, that though he was discouraged by the thinness of the House, and the absence of his Majesty's ministers, yet he could not abstain from offering a very few observations on a subject naturally connected with the present Bill, for the satisfaction of his own feelings, and the discharge of his conscience. Almost every voice in the House, not silenced by legitimate considerations of ministerial reserve, had already been raised on behalf of Poland. He was far from intending to repeat what had been so often and so eloquently urged on that great question: he was rather desirous of confining himself to the manner in which it seemed to him to be connected with the conduct of this kingdom at the present moment. Perhaps, before parliament met again, the hands of government might be tied, and the mouths of every member shut for every purpose of useful discussion. Certainly the deliberations of the approaching Congress must materially affect the fortune of Poland; though from what he had seen and heard of the spirit and feelings of illustrious Poles, he trusted that the decision of no Congress could pronounce her final doom. The moment had arrived in which England must take her part. He wished she had never recognized in any formal act, the partition, still less the destruction, of Poland. To us Poland still legally existed. We had never acknowledged that any part of the Polish territory was subject to a foreign master. France and England had, by a desertion of their duty as guardians of Europe, rendered themselves passively guilty of the first partition. But neither of these great powers had disgraced themselves by active accession or by recognition of the legitimacy of those acts of rapine. Their hands were still unfettered, and they might make some reparation for their original supineness and treason by the assertion of justice at this moment.—It was to be observed, that the destruction of Poland, no insignificant member of the civilized world, but in extent and population the fourth state of Christendom, had been consummated more than three years, after that period of the first of January, 1792, to which it was the avowed principle of the present negociations to bring back Europe. It was part of the injustice to be repaired. Even this was not all. Its national existence had been suspended only for ten years. It had revived in 1807, under the denomination of the duchy of Warsaw. As such it had been acknowledged by all the great members of the confederacy, except England, which had not ceased to recognize it as Poland. As the duchy of Warsaw, it still in fact exists; occupied, indeed, militarily, by a foreign army, but politically, by an example of very ambiguous tendency, kept for several months without an acknowledged sovereign or legitimate authority. But, however dangerous such examples might be to the power of sovereigns, and to the attachment of subjects, they had, in this case, the effect of releasing Poland from her fetters, and presenting her fate as a new and perfectly open question. The ministers of Great Britain, had for the first time, to determine, not only whether they would recognize the partition of Old Poland, but whether they will actively concur in the destruction of that New Poland, of which the restoration was the only benefit arising from the late calamities of Europe. It is the most critical moment in our diplomacy in the opinion of those who regard the honour of their country as the highest interest. We are now to decide, whether the name of England is to be dishonoured by participation in these events, and whether the seal of Europe is to be affixed to the greatest triumphant crime which stains the annals of the civilized world.

Mr. *Wynn* in addition to Poland, thought it should be stipulated, that the kingdom of Saxony should be returned to its sovereign without being burdened with any new constitution.

The report was then received, and the Bill was ordered to be read a third time to-morrow.

## HOUSE OF LORDS.

*Wednesday, July* 27.

Gloucester Gaol.] The order of the day having been read, for taking into consideration the petitions complaining of ill treatment on the part of the keeper of Gloucester-gaol. Earl Stanhope moved that Mr. Mogg be called to the bar. Mr. Samuel Mogg was then called to the bar, and examined by earl Stanhope. He stated, that he was an attorney at law, at Gloucester; that he had two clients, named J. Perrin and J. Yeates, confined in Gloucester prison; previously to the last assizes he had applied at the gaol to see Mr. Yeates, and had been refused, principally by Mr. Cunningham, the gaoler. Mr. Yeates had been formerly an attorney at law, and was defendant in a cause at the Gloucester assizes, in which a verdict had been given against him. Mr. Yeates had since declared, that he had lost his cause because he had not had a private conversation with witness. On the 18th of June last, witness applied to see J. Perrin, who was also his client, and was refused by the gaoler. About this time, a letter was delivered to witness by Mr. Yeates; as witness was taking the letter out of the prison, he was asked by Cunningham, the gaolar, what letter it was? witness answered, it was a letter from Mr. Yeates to him (witness); Cunningham asked witness to let him see it; witness gave it him, but bade him open it at his peril; Cunningham, however, took the letter, and broke the seal, read it, and took a copy of it. On the 18th of the present month, witness had had a conversation with Cunningham, relative to a letter sent from lord Sidmouth, and asked him, whether he had not received a letter from lord S. saying, that opening letters from the prisoners, was illegal? Cunningham answered, "whether I have, or have not, I shall do as I please." Since the 18th of the present month, witness had again applied to be admitted to his client; but he had received as an answer from Simmons, the clerk to the gaoler, that he had received no such authority from Mr. Cunningham.—The witness was ordered to withdraw.

Earl *Stanhope* then said, that he had proved all which he had wished to prove; and should leave it to the consideration of their lordships, whether, as such strong facts had been proved, a committee should be appointed to consider of the case, or whether another course of proceeding, which he thought best, and for which there were many precedents, should be adopted, namely, to order the King's Attorney General to prosecute the gaoler.

Lord *Sidmouth* began by remarking, that the letter mentioned in the evidence was sent by him, not to the gaoler, but to the chairman of the court of the quarter sessions, in whom the power of controlling the gaoler resided. He had stated in that letter, that the opening of letters addressed to the prisoners was unlawful; and that the prisoners should have free communication with their legal advisers. Such, he believed, was the general practice, and he should have much doubted, if it had not been stated on oath, that any person who presented himself in the character of a legal adviser, had been refused admission to a prisoner. There might be extreme cases where it might be proper to open letters of prisoners, but they should be extreme; and he could scarcely conceive any thing that could authorise such a proceeding in the case of a person confined for debt, or for fines due to the crown. In persons committed for felony, the case might be in some degree different. The existence of the practices asserted by the witness had been denied by very respectable persons, of whom he had enquired on the subject. As to the committee of enquiry mentioned by the noble earl he should not object to it.

Earl *Stanhope* was glad that the noble viscount had acted so properly on the occasion, by informing the magistrates of the illegality of the proceedings complained of; but it was only an aggravation of the case, if it could be aggravated, that, in general, attorneys were admitted to their clients in the gaol in question, because it followed that not only there was a bad rule, but that it was partially followed up; for it had been stated at the bar, on oath, that in a particular case an attorney had been refused admittance, and the evidence had been delivered in so unexceptionable a manner, that no peer had even thought fit to cross-examine the witness. He should proceed with a motion for enquiry, if the noble viscount did not pledge himself to make an enquiry himself, and proceed, if the facts turned out as they appeared at present from the evidence, to take such proper measures as were in the power of government; for it would not be proper, that people of this country should be left under lock and key to be so tormented.

Lord *Sidmouth* stated, that whether or no the noble earl proceeded to move for a committee, he should feel it his duty to enquire into the circumstances of the case, which had been quite differently represented to him by the magistrates, who had stated that access had never been denied to legal advisers. He had also a letter in his pocket from one of the petitioners to the House, who had represented this matter quite differently from that in which he had stated it in his petition.

Earl *Stanhope* said, that if it turned out that abuses had prevailed, he hoped the the noble viscount would proceed not very smoothly against the offenders. What information the noble viscount had received from these magistrates and others, was not worth one nib of a straw, in opposition to the evidence taken at the bar. The magistrates might have heard and believed that no obstacle had been thrown in the way of the admission of the legal advisers of the prisoners; but a case had been fully proved at the bar to the contrary. He should leave to the responsibility of the noble viscount the further consideration of this important subject.

Lord *Holland* said, the evidence was of great importance, and thought it should be printed.

The evidence was accordingly ordered to be printed.

IRISH SEDITIOUS MEETINGS BILL.] The order of the day for the second reading of the Irish seditious meetings Bill being read,

Lord *Sidmouth* observed, that it was his painful duty to bring this measure under the consideration of their lordships. This was a Bill of a very different description from the Bill which he had brought under their notice a few days ago. This Bill, he was sorry the necessity existed, did propose to make some alteration in the law. It conferred new and extraordinary powers on the magistrates. It could only be necessity, that could justify the conferring of such powers on the magistrates, and it was on that ground only, that it was proposed to their lordships to adopt the measure. The state of disturbance in which several parts of Ireland, and too many parts of it, were at this moment, was notorious; and that unhappily constituted the necessity for this Bill. There was not a single individual, well acquainted with the state of Ireland, who doubted that it was absolutely necessary to adopt some measure of this description. He did not say, that, as a foundation for any political measure, their lordships could rest merely on reports of what had passed in another place; but, it was stated, that, in the other House, when the other Bill was brought forward, there was an universal attestation of the necessity of that measure. There was also a general attestation of the urgent expediency of this Bill, subject, however, to an objection in some quarters, on the ground of taking away part of the benefit of the trial by jury. The necessity of quelling this spirit of disturbance, was universally felt and acknowledged by those who had the best acquaintance with the situation of Ireland; and, he trusted, that those noble lords in that House, who more particularly knew what was the state of that country, would inform their lordships of their impresssion as to the necessity of this measure. The evils with which that country was at present afflicted, did not arise from the defective state of civilization in many parts of Ireland. They were not the consequence of meetings, and ordinary riots at fairs; but they had their foundation in the most nefarious of purposes and dispositions: they arose from combinations among the lower orders, who became bound by oaths of the most solemn character, to prosecute objects of the most mischievous nature, by means the most horrid and nefarious. The most lamentable outrages had prevailed. Torture had been often inflicted; murder frequently perpetrated. If he were to lay before their lordships all the information that had reached government on this subject, it would be impossible for any one among them, he thought, not to acknowledge the necessity of some such measure as the present, though the information would shock their minds, and wound their feelings. In the county of Westmeath, in the Queen's county, in the county of Tipperary, and a variety of other counties, these outrages prevailed, which were disgraceful to those who committed them, and which it would be disgraceful to the government to permit to continue. It was for the purpose of giving security to the well-disposed and peaceable inhabitants of these disturbed counties, that this Bill was brought forward.—The noble Secretary then, by way of illustration, read some passages from applications made to the lord lieutenant. for the revival of the Act of the 47th of the King, by the magistrates, and principal proprietors, in the county of Westmeath, and another of the disturbed counties. One of these was signed by lords Castlemain and Westmeath, and 47 magistrates. The disturbances, in spite of the examples made, had increased. A man had been assassinated in the midst of a congregation at church, not one of whom attempted to seize the assassin. A man had given evidence on the trial of several persons for a most atrocious murder, similar to the murder of Mr. Horsfall, two or three years ago, in this country. It had been perpetrated by nine persons, who were the half of a party delegated by three different villages, for the perpetration of this murder. They had cast lots, who should undertake it; the lot fell on these nine, and these had cast lots among themselves, which individual should strike the blow. They were seized, brought to trial, and six of them were condemned and executed. The chief evidence was a respectable man, who was instantly apprised of his danger. He made his escape, and was kept for some time protected in lord Castlemain's house. But against the advice of his lordship, or those in the house at the time, he left it, and went home; and the very first night he was there, he and his wife were murdered.—Those misguided people were so little deterred by fear of the law, that excesses had been committed on the 4th of the present month, even while the Westmeath assizes were going on. It was observable, that the oath lately taken differed from that before the restoration of peace. The former enjoined secrecy, truth to the "committee," a solemn bond to pursue informers to death, either by hanging, drowning, or "laying under ground," dead or alive: and finally, to assist the French on their landing. The latter retaining the original clauses of secrecy, bound to demolish government, "to root up pride and tyranny," to abolish tithes and taxes, and plant the tree of liberty. On those oaths, no comment was necessary, farther than to prevent the supposition, that he had any idea of actual danger to government from them: but they were the fruits of a desperate and evil spirit, threatening much suffering to the peaceable community. There was not the slightest reason to believe, that those criminals had any leaders above their own rank, or, that any man of respectability was concerned with them.—His lordship then stated the nature of the Bill, which was, with a few additional enactments, the same as that formerly before the House. It proposed, that two magistrates should have the power of summoning a meeting of the other magistrates and gentlemen of the district, for the purpose of having a special session, which was, at no time, to take place in less than seven days. That, upon the representation of those magistrates to the lord lieutenant, he should be empowered to issue a proclamation, declaring the county, or district, in a state of disturbance, and appointing a special session of magistrates to try disorderly persons, the session to be presided over by a king's serjeant, or other barrister, who, in case of his disapproving of the proceedings, was to have the power of suspending the execution of the sentence, until he had submitted them to the lord lieutenant. Other provisions were added, respecting the impannelling of a jury, the proceeding by information, and the punishment for taking the unlawful oaths, seven years transportation; and, for the other excesses according to their degree. Those called disorderly, were such as were found outside their houses from an hour after sunset, to within an hour of sun-rise, the concealers of arms, and the takers of unlawful oaths.

The Earl of *Carysfort* addressed the House at some length upon the subject, and took an historical view of the mode and principle upon which the English government of Ireland, in fact, and practice, generally proceeded, from the period of the reign of Elizabeth, down to the present time. In this view, his lordship seemed to think the benefits, or advantages, of the real constitution of England, had never been fairly or fully communicated to Ireland; more especially with respect to the important consideration of the administration of justice to the people at large. The Bill, he thought, went to give a most alarming extent of discretionary power to the executive government, over the people of Ireland, and what he must think a novel, and highly questionable mode; these powers were given in a way, which not only militated against the best principles of the English constitution, but proceeded in a course perfectly opposed to that, by which the judicial administration of the laws was regulated in this country; where the person who presided in the courts of justice, was, instead of being a prejudiced accuser of the parties brought for trial before him, bound in duty to be, if they had no other, their legal defender; and this proposition he urged in contrast to the arbitrary powers given to local magistrates, by the Bill in question. His lordship then commented on the actual situation of the people of Ireland. The common people were more estranged than any other from the nobility, and this arose from the necessary situation in which they were placed. When contrasted with the lower orders in this country, the people of Ireland appeared only like slaves. There was not a man in England, who did not know, that the fruits of his labour were protected; and, if he fell into calamity, his country afforded him assistance; but the state of the people of Ireland, on the contrary, could not be described by any other name, than that of slavery. They had neither dwellings, clothes to cover them, property to support them, not even liberty. Hence, people in this situation could not be expected to shew attachment to the government, because they experienced no protection from it; they did not even know that they lived under a government; and, being in such a deplorable and desperate state, they were ready for any thing. He objected to the Bill before the House, because it gave new powers; it directed the strength and vengeance of the state against those who stood most in need of its protection and assistance; while it was not even sufficient for restoring peace in places that might be disturbed. It went to authorize magistrates, to transport a man for seven years, on no other ground, than not being found in his house ten minutes after sun-set. By such laws, neither the morals nor the peace of Ireland could ever be promoted: but as long as the principles of the ancient law were adhered to by government, and the trial by jury continued, no apprehension need be entertained. His lordship concluded, with saying, that, with these impressions on his mind, he found it impossible to vote for the second reading of the Bill, which, he was convinced, would only create and augment the mischief it pretended to remedy; and, with this conviction, he should move, that, instead of now, it be read a second time on 1st of September.—On the question being put,

Lord *Holland* said, he did not mean to detain the House, by repeating any of his former observations, but he could not refrain saying, that he thought there could be but one opinion of the Bill, which was, that its principle was quite abhorrent to all ideas of civil liberty. Yet, he felt no hesitation in saying, that of many of the amendments and alterations that had been introduced in it, he fully approved; particularly that, which went to place a person of legal knowledge and habits at the head of the sessions. But not any amendment that had been, or could be made in it, would obviate his insuperable objection to the dispensing with the trial by jury. He understood, that it was intended to reduce the term of existence of the Bill from three to two years, which had his approbation; yet he must oppose the general nature of the Bill itself, as it punished without the intervention of a jury, and threw upon persons the *onus* of proving their own innocence. He could not but add, that the Bill of 1807 had no sanction from him. The motive assigned for it was, the existence of a strong French party in Ireland; but as it was notorious, that no such party existed at present, the revival of the measure was, in his mind, unnecessary, and, therefore, he should enter his protest against it.

Earl *Stanhope* declared himself an enemy to the Bill *in toto*, and should be sorry to be considered by any man alive as giving his sanction to a measure so unjust, obnoxious, and unconstitutional. His lordship descanted on the hardships to which the lower classes in Ireland were subjected; particularly the poor tenantry; the last taker of land being liable to be distrained, by all the men above him; and he considered it scandalous on the part of government, that nothing was done to relieve the people from such horrible oppression. As to the principle of the Bill before the House, he considered it as a curse on the country, and worse than the Norman Curfeu. It was not enough to debate the Bill; and, as persuasion would be useless, he should move, in the Committee, that it be made to end with the termination of the next session of parliament.

Lord *Holland* briefly objected to a part of a clause which authorised the appointment of counsel, if any such could be procured, on the ground, as we understood, that counsel could and ought always to be obtained.

Lord *Sidmouth* signified his assent to the alteration, and the Bill was then read a second time and committed for to-morrow.

## HOUSE OF COMMONS.

### *Wednesday, July 27.*

General Gore.] Mr. *Marsh* presented a Petition from William Firth, Esq. barrister, of Norwich, complaining of the conduct of general Gore, in the government of Upper Canada, of which province the petitioner had been Attorney General. The hon. member stated, that he conceived it his duty, as a member of that House, to present any petition directed to a proper object, and couched in decorous language, which was clearly the case in this instance: but he had no hesitation whatever in presenting this Petition, because, having the fullest knowledge of the character of the petitioner, from an acquaintance of several years, he could most implicitly rely upon his honour and accuracy.

The Petition was then read. It stated, that immediately after the arrival of the petitioner in Canada, he was called upon by general Gore, to concur in his official capacity, in the prosecution of a system of measures against which his judgment and feelings revolted. He found very soon, that spies were scattered through the colony, to disturb the harmony and social confidence of the inhabitants; that the sanctity of the Post-office had been violated; that the best English subjects in the colony were oppressed; that the revenue was impaired; and that the people of Canada had been thus kept in a feverish disturbed state, without any apparent cause; without any rational ground —and that the petitioner's situation was, through such circumstances, rendered peculiarly uncomfortable, the more so, because general Gore, in consequence of the petitioner's refusal to co-operate in his views, endeavoured, by every possible expedient, to annoy him. Petitioner concluded with stating, that feeling his situation under general Gore quite intolerable, he resigned his official employment, and returned to England: and pledging himself to prove the truth of his allegations. —The Petition was ordered to lie on the table.

MAD-HOUSES.] Mr. *Rose* moved, that there be laid before the House, an account of the number of houses in the kingdom, appropriated for the reception of Lunatics under the act of the 14th of the King, mentioning the parish in which they are situated, together with the names of the persons who keep them. He stated, that it was his intention early in the next session, to move for a committee to inquire into the state of the Mad-houses in the kingdom. When this was done he was convinced that it would appear that the necessity for such a measure, as that which he had some time ago proposed to the house, would appear urgent. He was so firmly convinced of the propriety of having the Bill, which he had proposed, passed into a law, that he should find it his duty next session to expose facts which, in the hope that the Bill would have passed without opposition, he had hitherto kept back.—The motion was agreed to.

SIR GEORGE BARLOW.] Mr. *Marsh* gave notice, that early in next session, he would move for the institution of an enquiry into the conduct of sir George Barlow, in the government of Madras. This motion, the hon. member said, it was his intention to have brought forward in the present sessions, if sir George had arrived in due time, but from the consideration of that gentleman's absence, and in deference to the opinion of others whom he had consulted, he was induced to postpone his purpose. The subject-matter of his motion, the hon. member described to refer to the improper interference of sir G. Barlow, in certain prosecutions instituted before the proper tribunal at Madras, against persons charged with fraud, forgery, and conspiracy, with respect to the debts of the nabob of the Carnatic. This tribunal was known to be wholly independent of the controul of the local government. Yet sir G. Barlow thought proper to interpose with it, and in consequence of his objection to the prosecutions alluded to, endeavoured, by all the means in his power, to annoy and persecute every person concerned in promoting or conducting them. One of these persons had, therefore, been sent by sir George Barlow, from a lucrative situation at Madras, to a distant and unwholesome settlement—so unwholesome indeed, as to be fatal to the health of that officer. Sir G. Barlow had also acted improperly towards another gentleman, Mr. Thomas Parry.

Mr. *Wrottesley* here rose to order, observing that the hon. gentleman was not only exceeding the usual limits of a notice of a motion, but making accusations which could not be answered for a considerable time, and against a gentleman who was not present to defend himself.

Mr. *Marsh* declared, that his only object was fully and fairly to explain the points to which his motion would refer, and this explanation he thought the more necessary, as so many parts of the administration of sir G. Barlow were also complained of. He therefore conceived that he was acting with candour towards the accused, while he disclaimed any intention of trespassing upon the order of the

House, and was decidedly averse to any violation of the principles of justice. He then moved that copies should be laid before the House of the memorials presented to his Majesty from Messrs. Maitland, Evans, and Parry, relative to the misconduct of sir G. Barlow in the government of Madras. He also moved for other documents upon the same subject, which had, he said, already been laid before the House.

Mr. *Tierney* suggested, that in fairness the other side should also have an opportunity of calling for papers on this subject, observing, that if the motion of the hon. gentleman were acceded to, an *ex parte* statement would go forth, which might interfere with the merits of the case, and at a period, too, when no answer could be duly promulgated.

The *Speaker* observed, that it could not be necessary to move for papers already before the House, and therefore he suggested to the hon. gentleman the propriety of re-considering his motion, with a view to select the documents for which it might be necessary for his object to move.

Mr. *Marsh* said, that in compliance with this suggestion, he should postpone his motion until Friday: but upon some observations from Mr. Wynn, the hon. gentleman agreed to postpone his motion until next session.

Mr. Mallison's Invention.] Sir *F. Burdett*, after some observations upon what he understood from good authority to be an unfounded statement on the part of gentlemen on the other side, respecting the impracticability of producing a return of the lives lost in our navy through the upsetting of boats, &c. gave notice of a motion for to-morrow upon this subject, with a view to shew how many persons had been lost since the rejection of Mr. Mallison's plan for saving the lives of our seamen, which plan was recommended by the report of a committee of that House. The gentlemen who could have so deceived the House, respecting the returns alluded to, appeared to him to deserve serious censure.

The *Chancellor of the Exchequer* stated, that it would, as he understood, be necessary to examine all the log-books in the navy, in order to make up the return required by the hon. baronet.

Sir *F. Burdett* observed, that even so, the object was deserving of the trouble.

## HOUSE OF LORDS.

### *Thursday, July* 28.

Irish Seditious Meetings Bill.] The House having resolved itself into a Committee on the Irish Seditious Meetings Bill,

Earl *Stanhope* said, that he had objections of a general nature to the Bill, and especially to those strange clauses which took from the subject the protection afforded by a trial by jury, and subjected a man to transportation at the will of a new jurisdiction, if he or any of his family happened to be from home after sun-set. These clauses, he contended, would put an end to the most innocent social intercourse. He was, however, too well versed in parliamentary matters to hope to do any good by proposing an alteration on these subjects; but he could not see why even in the view of those who supported the Bill, the end of the next session would not be a term sufficiently extended, to answer all purposes, for if their lordships were inclined to do their duty they might next session, by the taking off oppressive taxes and abolishing other grievances, bring the people of Ireland into a state of good humour. One of the worst grievances was, that an under tenant was subject to be distrained, not only for the rent due by him to the tenant immediately above him, but for all the rent due from all the intermediate tenants to those above them, or to the original landlord. His lordship concluded, by proposing an amendment, that the Bill should expire at the end of the next session of parliament, instead of at the end of three years.

The Earl of *Liverpool* said, that the term of three years, was that which stood in the former Bill of the same nature. It would be easy, if it was necessary, to propose a repeal of the Bill before the expiration of that term; and it did not follow, that because the Bill existed, the provisions of it would be carried into effect. Indeed, he hoped, that would not be necessary. As to what the noble earl had said about repealing taxes, and redressing grievances, it did not apply to Ireland. There was no country more lightly pressed on by taxes, or where the government was more popular. The evils originated in the customs and disposition of the people—in the state of property and opinion. If the laws or administration had been bad, a remedy might be applied; but habits it was not in the power of parliament to change. He should, therefore, oppose the amendment.

Earl *Stanhope* adduced, as an instance of a grievance, which could be put an end to by law, the distress of under-tenants for the rent due by their over-tenants, which he had before mentioned.

Lord *Redesdale* said, that the law was the same in that respect as the law of this country, although, as applied to the state of property in Ireland, it was one of the causes of discontent. But such were the contracts of the parties, and it would be improper and unjust to alter them. His lordship then enumerated several other causes of discontent and disturbance in Ireland. Those of the peasantry, who were of Irish blood, had often a notion that the lands which they rented ought to have been their own. The property had, according to their ideas, before the arrival of Strongbow, been divided among them by clans. If a man was of the name of the clan supposed formerly to have possessed the property, he fancied that part of it belonged of right to him. Persons took long leases, sometimes renewable for ever, and then sublet the lands. It happened often that a man let lands to others to the extent of 12 or 1,300*l.* a year; and that he himself paid to his superiors 1,000*l.* of these rents; and thus, a man of 200*l.* or 300*l.* a year there, had all the influence among the inferior classes, that here belonged to a man of 12 or 1,300*l.* a year income. This was another source of discontent and disturbance. The actual cultivators of the ground were not farmers of large capital, as here; but the farms were small possessions divided among a number of poor people, whose condition was but little superior to that of common day-labourers here. There was a disinclination in Ireland to labour for others; and a man there would much rather rent an acre for himself, and do with it as well as he could, than labour for another. Those who would be in the class of farmers here, who had long leases of lands which they sublet to others, were always desirous there of being considered as belonging to what had been called the Squirearchy of the country. This unfortunate distribution of property, together with the notions of the Irish peasants as to their title to the property of the land, enabled mischievous people to work on the passions of the lower orders to the worst of purposes. A great number of the owners of property in Ireland, did not reside there, a circumstance which was attended with very bad effects. The most respectable of those who did reside, were not so much disposed, perhaps, as was desirable to execute the duties of magistrates; and the consequence was, that the duties were often entrusted to persons not in such prominent and respectable situations in life as those in which the magistrates of this country generally were. He hoped he should be pardoned for stating it, but the higher orders did not do their duties with so much of that patriotism which, he conceived, would be proper and becoming: not, that he meant to say that the higher orders in Ireland did not feel as patriotically as any men, but that, merely from mistaken views, they did not act with so much zeal, as in his opinion, they ought to do. The cure for the evil would be the introduction of riches, and a change of habits. The property would then be managed in this country, and these disturbances would be at an end. But in the mean time it was of the last importance, that the laws there should be put in execution, that the King's writ should run every where without opposition. He had taken care that it should, when he was there, as far as the law was under his controul. He had done things which had been considered as impossible: but perseverance and spirit would do a great deal. At present, the disturbed state of Ireland prevented respectable farmers, like those in this country, from residing there, and diminished the value of property. The preservation of the peace of Ireland was therefore necessary even to the future improvement of that country. Improvement now was advancing rapidly there, and it was the duty of the legislature to take care that its progress should not be checked, but encouraged: but no direct act of legislation could cure the evil.

Earl *Stanhope* contended, that his arguments, with respect to the distress to which the poor were frequently rendered liable, by being distrained upon by the intermediate landlords, remained unanswered.

The Amendment was negatived, and the Bill passed through the committee, and was reported.

## HOUSE OF COMMONS.

*Thursday, July* 28.

Mr. Mallison's Invention.] Sir *F. Burdett* rose, pursuant to notice, to move for a return of the number of seamen drowned or lost through the upsetting of boats from the 5th of June, 1811, to the latest period at which the same could be made out. Upon a former occasion, the hon. baronet observed, that he had been told by some gentlemen on the other side, that it would be impossible to make out the return he desired. But he, on the contrary, understood, that it would be perfectly easy to prepare such a return. He had, indeed, a letter from a respectable naval officer, stating, that it was the usual practice to record, in the log-book, the number of seamen lost, whether by drowning or otherwise; and all these log-books were notoriously transmitted to the Admiralty. Nothing, then, as he was assured, could be more easy than to make out the return alluded to. Then as to the *cui bono* of his motion, he was anxious to ascertain the extent of the injury which, as he was informed and believed, might have been prevented by the adoption of the ingenious invention of Mr. Mallison, commonly called "The Seaman's Friend." Of the utility and efficacy of this invention, the committee appointed to examine it, had expressed no doubt whatever; but, on the contrary, had made an unanimous report in its favour. Why, then, was not that report attended to, and the invention patronized as it deserved? The House had lately made a liberal vote to captain Manby for his invention to save the lives of seaman; 2,000*l.* had been granted to that officer himself, as a reward for his personal merit, while from 6 to 7,000*l.* were voted to promote the use of his invention. He had no objection to the grant of a fair remuneration to capt. Manby; but he could not conceive any just reason, why Mr. Mallison's invention, which, according to his information, possessed considerably more merit, should be entirely overlooked—that the latter should receive only 100*l.* for an invention which promised to be universally useful, while captain Manby's invention, which was only applicable to particular stations and occasions, should be so liberally considered. By captain Manby's invention, it was proposed to save seamen exposed to danger immediately off shore; but by Mr. Mallison's invention, seamen would in all cases be rendered incapable of sinking, and of course the latter was superior in merit. His motion also had in view the establishment of what was called a parliamentary ground for the proposition which he meant to bring forward for the adequate reward of Mr. Mallison, and for the due advancement of his invention. He therefore, thought it material to ascertain the number of lives lost since Mr. Mallison's invention was made known to the Admiralty and the public; for if those lives were numerous, the Admiralty was seriously responsible in neglecting to avail itself of an invention calculated to prevent such sacrifices. The number of lives lost by drowning in the navy since the year 1803, had, he was informed, amounted to no less than from 10 to 12,000 men, and as to the proportion of that number lost since June 1811, the Admiralty, for its own vindication, was peculiarly bound to show some reason why it declined to adopt so simple, so easy, and so unexpensive a plan for saving the lives of seamen, as that presented by Mr. Mallison's invention. The life of a man, estimating it even according to the scale of the West India slave owner, was worth 80*l.* and what, then, must be the estimate of our gallant seamen who had suffered death in the way described; or what the responsibility of those through whose neglect in rejecting Mr. Mallison's invention, such suffering had taken place? Here the hon. baronet reverted to the statement of gentlemen on the other side, as to the impracticability of making out the return to which his motion referred, which statement must, he was assured, proceed either from ignorance or some other motive which it would not be proper in him to name. By that statement, however, his motion, on a former occasion, was baffled; but being convinced of the fallacy of the assertion, he now felt it his duty to resume his motion, in which motion he should persevere, unless he had some good reason to the contrary.

Mr. *Croker* expressed his regret that he did not happen to be present on a former occasion, when the hon. baronet brought forward this motion, although he had twice waited in the House in the expectation of it. He declared his belief, that it would be quite impossible to comply with the hon. baronet's motion, at least without the labour of twelve months, or probably double that period, with the employment of a special clerk—without, indeed, wading through the log-book of six hundred or one thousand ships, which log-books were periodically transmitted to the Admiralty, some accurate, and others the contrary. It was impossible, in fact, to see the limit of such an examination. And for what purpose was it proposed to institute it? Why, to ascertain the character of that which, notwithstanding the hon. baronet's assertion and information, was as little entitled to the name of an invention as any thing which could well be imagined. It had, in fact, to boast neither of novelty nor of utility. He thought it one of the worst of the cork jackets presented to the consideration of the Admiralty; and, therefore, were he obliged to employ a cork jacket, Mr. Mallison's was the very last to which he would have recourse. The committee to whom it was referred had not, indeed, called this plan an invention, although that committee reported in its favour. But the fact was, that it could not be called an invention; for it was merely an alteration of the plan used by boys in swimming, by directing, that instead of placing cork under the shoulders, in the ordinary way, some cork should be placed under the breast, and some on the back—and this, truly, was called the magnificent invention of Mr. Mallison! The Admiralty had, however, given Mr. Mallison 100*l.*; but that gift proceeded rather from a desire to encourage the application of talents to a subject of this nature, than from any favourable opinion of Mr. Mallison's invention, as it was termed. But if this plan of Mr. Mallison were of such immense utility as the hon. baronet was led to believe, why, he would ask, was it not adopted in the merchants' service, over which the Admiralty had no controul? Had Mr. Mallison sold one hundred of his jackets to the merchant ships? He believed not; and, surely, if it were so useful, thousands would have been so disposed of. After some further remarks, in which the hon. gentleman ridiculed Mr. Mallison's plan as a trumpery invention, which he said he was warranted in describing it, upon the authority of several naval officers, he concluded with repeating his dissent from the motion.

Mr. *Whitbread* declared, that having been a member of the committee appointed to examine Mr. Mallison's plan in 1811, he could say, that that committee unanimously recommended its adoption; and among the committee were some naval officers of the highest respectability. One of these officers, who was a particular friend of his, and who, from illness, was prevented from going to sea at the time, assured him, that were he to go to sea, he would employ Mr. Mallison's invention, from his conviction of its utility. The peculiar advantage of this invention was, that seamen might use it without being disqualified from acting in their ordinary engagements, and therefore it was preferable to any other cork jacket, although the hon. Secretary of the Admiralty might not think proper to use it. Some persons out of doors had, he understood, objected to the plan, lest by facilitating escape it might encourage desertion; but this danger might be guarded against. The objection, however, it must be observed, furnished some proof of the efficacy of the plan. Of this plan he fully approved, thinking it useful in many cases, where captain Manby's plan could not operate; and also thinking that it would even serve materially to aid that most important invention.

Mr. *Wynn* said, that 2,000*l.* had been given as a remuneration to captain Manby; the rest of the grant, was to cover the expenses that had been incurred. In cases where there was any danger of limbs being broken, he did not see how a life-preserver made of cork could be of any service. The House was called upon to reward inventions that had been proved to be of utility, and not such as, by possibility, might be so. The question for the consideration of the House was, would this invention save lives, and had any instances occurred, of its having actually preserved any?

Mr. *Croker* said, in explanation, that the office to which he belonged, would give the information sought for, if they could.

Sir *F. Burdett* replied, and mentioned a case where this invention had been of singular utility. Conformably to the suggestion of an hon. gentleman, he should limit his motion, in the first instance, to Portsmouth and Plymouth.

Mr. *Croker* stated, from the number of ships that visited those harbours, the difficulty of procuring an exact return, would be equally great, as by the original motion.

Sir *F. Burdett* agreed to withdraw his motion, from the implied admission of the gentlemen on the other side, that many lives had been lost through the upsetting of boats, &c. which admission he deemed a sufficient ground for the object which he had in view, and respecting which he should not fail to move early in the next session, in order to provide for the benefit of the navy, and to secure justice to Mr. Mallison.

## HOUSE OF LORDS.

*Saturday, July 30.*

The Speaker's Speech to the Prince Regent, on presenting the Vote of Credit Bill.] At two o'clock, his royal highness the Prince Regent came in state to the House of Peers, and entered the House in procession, attended by the marquis of Hertford, lord chamberlain; the marquis of Winchester, groom of the stole; the earl of Cholmondeley, lord steward; and all the accustomed attendants. The duke of Wellington carried the sword of state. His Royal Highness being seated on the throne, in his full robes, and with his hat on, with his attendants arranged on each side, and the Peers present being in their places, habited in their robes, sir Thomas Tyrwhitt, the gentleman usher of the black rod, was directed by the Prince Regent to go to the Commons, and signify his Royal Highness's commands, that that House should attend in the House of Lords. Shortly afterwards, the Speaker of the House of Commons, in his full-dress robes, accompanied by a number of members, came to the bar.

The Right Honourable the Speaker, on presenting the Vote of Credit Bill, addressed his royal highness the Prince Regent, as follows:—

" May it please your Royal Highness,

" We, his Majesty's most dutiful and loyal subjects, the Commons of Great Britain and Ireland, do now attend your Royal Highness with our last Bill of Supply, for the service of the present year.

" Assembled at a period, when the fate of Europe was still doubtful, and balanced by alternate hopes and reverses, we have been anxious, but not inactive spectators of those great transactions, which have wrought so fortunate a change in the state of the civilized world.

" During this portentous interval, we have pursued our legislative labours, according to our accustomed course, applying practical remedies to the practical evils incident to old establishments, or arising out of new occurrences; in some cases, proceeding experimentally, by laws of a limited duration; in others, collecting such materials of information, as may lay the ground for future measures; and those who shall come after us will see traces of that progressive improvement, which the sober habit of this country cautiously, but not reluctantly, adopts into the system of its domestic policy and jurisprudence.

" With respect to our financial arrangements, by the provident measures of a former session, we have been enabled to refrain from augmenting the burthens of the People; and, at the same time, to make our military exertions correspond with the scale of passing events.

" Whilst we have been thus employed, the destinies of Europe have been gradually unrolled before our eyes; and the powerful nations of the North, sending forth their collective strength, to try the last issues of war, whilst Great Britain and her allies were, with equal vigour, advancing from the south, their joint efforts have, at length, accomplished the downfall of the greatest military despotism, which, in modern days, has disgraced and desolated the earth.

" In these arduous struggles, we can look back with just pride on the discharge of our high duties. The British army, modelled upon a wise system, steadily and impartially administered at home, and conducted by consummate skill and valour in the field, has borne its ample share in the glorious conclusion of this long, and eventful war: and his Majesty's faithful Commons, have gladly lent their aid to maintain the honours and dignities of those illustrious commanders, whom the wisdom of the sovereign has called upon to surround his throne.

" In the Peace which has since followed, the efforts of this country have been not less glorious. The wise and liberal policy of our government, which announced justice, and equality of rights, to be the basis of our diplomatic system, has been happily sustained abroad. The British name now stands high in policy, as in arms; and an enlightened people has justly applauded the firmness and temper which have conciliated and cemented the interests of allies, cheered the doubtful, animated the zealous, and united the deliverers, and the delivered, in a peace honourable and advantageous to all the contracting powers.

"The events of our own times have outrun the ordinary march of history; peace restored, commerce revived, thrones re-established; a well-founded hope, that the same counsels, and the same master-hand, so mainly instrumental in the work hitherto accomplished, may, at the approaching Congress, extend and fix the work of peace throughout Europe; and a further hope, that the earnest, and universal prayer of this great country, may prevail upon the nations of Europe, in re-establishing their own happiness, to concur, also, in putting an effectual end to the wrongs and desolation of Africa.

"Auspicious, however, as our present state may seem to be, the instability of all human affairs, forbids us to be too confident of its prosperous continuance. Much yet remains to be done in Europe; and we have still one contest to maintain by war; a war which we can never consent to terminate, but by the establishment of our claims, according to the maxims of public law, and the maratime rights of this empire.

"To provide for these branches of the public service, has been our concluding care; and the Bill which I have to present to your Royal Highness, is intituled, "An Act for enabling his Majesty to raise the sum of 3,000,000*l.* for the service of Great Britain; and for applying the sum of 200,000*l.* British currency, for the service of Ireland:—

"To which Bill your faithful Commons, with all humility, entreat his Majesty's royal assent."

THE PRINCE REGENT'S SPEECH AT THE CLOSE OF THE SESSION.] The Speaker then presented the Vote of Credit Bill, to which the royal assent was signified in the accustomed form, as also to the Militia Pay and Clothing Bill, and to Dundas's Divorce Bill.

The *Prince Regent* then delivered the following Speech:—

"My Lords, and Gentlemen,

"I cannot close this Session of Parliament, without repeating the expression of my deep regret, at the continuance of his Majesty's lamented indisposition.

"When, in consequence of that calamity, the powers of government were first entrusted to me, I found this country, engaged in a war with the greater part of Europe.

"I determined to adhere to that line of policy which his Majesty had adopted, and in which he had persevered under so many and such trying difficulties.

"The zealous and unremitting support and assistance which I have received from you, and from all classes of his Majesty's subjects; the consummate skill and ability displayed by the great commander, whose services you have so justly acknowledged; and the valour and intrepidity of his Majesty's forces by sea and land; have enabled me, under the blessing of Divine Providence, to surmount all the difficulties with which I have had to contend.

"I have the satisfaction of contemplating the full accomplishment of all those objects for which the war was either undertaken or continued; and the unexampled exertions of this country, combined with those of his Majesty's allies, have succeeded in effecting the deliverance of Europe from the most galling and oppressive tyranny under which it has ever laboured.

"The restoration of so many of the ancient and legitimate governments of the Continent affords the best prospect of the permanence of that peace which, in conjunction with his Majesty's allies, I have concluded: and you may rely on my efforts being directed at the approaching Congress to complete the settlement of Europe, which has been already so auspiciously begun; and to promote, upon principles of justice and impartiality, all those measures which may appear to be best calculated to secure the tranquillity and happiness of all the nations engaged in the late war.

"I regret the continuance of hostilities with the United States of America. Notwithstanding the unprovoked aggression of the government of that country, and the circumstances under which it took place, I am sincerely desirous of the restoration of peace between the two nations upon conditions honourable to both. But until this object can be obtained, I am persuaded you will see the necessity of my availing myself of the means now at my disposal, to prosecute the war with increased vigour.

"Gentlemen of the House of Commons,

"I thank you for the liberal provision which you have made for the services of the present year.

"The circumstances under which the war in Europe has been concluded, and the necessity of maintaining for a time a body of troops in British pay upon the continent, have rendered a continuation of our foreign expenditure unavoidable. You may rely, however, upon my determination to reduce the expenses of the country as rapidly as the nature of our situation will permit.

"My Lords, and Gentlemen,

"It is a peculiar gratification to me to be enabled to assure you, that full justice is rendered throughout Europe to that manly perseverance which, amidst the convulsions on the continent, has preserved this country against all the designs of its enemies, has augmented the resources and extended the dominions of the British empire, and has proved in its result as beneficial to other nations as to our own.

"His Majesty's subjects cannot fail to be deeply sensible of the distinguished advantages which they have possessed; and I am persuaded that they will ascribe them, under Providence, to that constitution which it has now for a century been the object of my family to maintain unimpaired, and under which the people of this realm have enjoyed more of real liberty at home and of true glory abroad than has ever fallen to the lot of any nation."

Then the *Lord Chancellor*, by the Prince Regent's command, said:

"My lords, and Gentlemen,

"It is the command of his royal highness the Prince Regent, acting in the name and on behalf of his Majesty, That this parliament be prorogued to Saturday the 27th day of August next, to be then here holden; and this parliament is accordingly prorogued to Saturday the 27th day of August next."

His Royal Highness bowed, and the Speaker and the Commons having made their obeisance, withdrew from the bar.

The Prince Regent quitted the House in procession, in the same form as on his entrance, and the peers and ladies retired.

## HOUSE OF COMMONS.

*Saturday, July 30.*

The Princess of Wales.] Mr. *Tierney* seeing a noble lord opposite in his place, wished to ask him some questions on a subject of great public importance. It had been currently reported, that her royal highness the Princess of Wales had made an application, through his Majesty's ministers, for permission to return to the continent. Whether that application had been made with a view merely to a temporary visit to her Royal Highness's brother, at Brunswick, or whether it was to be understood as involving an intention on the part of her Royal Highness to leave this country altogether—in either case, he could not contemplate it without deep regret. Unquestionably he could conceive the possibility of the existence of such a claim on her Royal Highness, as would demand her temporary preference of another country, although it required the utmost strain of his imagination to do so. If, therefore, the noble lord should reply, that her Royal Highness's absence would be but temporary, and if the noble lord would pledge himself to take proper precautions for insuring her Royal Highness's early return, he should have no great objections to the visit. But if he should find that it was the intention of her Royal Highness, as expressed either by herself, or by any of the ministers of the crown, to leave this country for the purpose of taking up her permanent abode on the continent, against such a step he must protest most solemnly. The present was not a time that would admit of many observations, [the usher of the Black Rod was every moment expected]; but he could not refrain from taking the only opportunity which was afforded him of declaring that he stood perfectly clear from any interference or knowledge on this subject. This he felt himself to be the more imperiously called upon to state, because on the recent question with respect to the augmentation of her royal highness the Princess of Wales's income, he and an hon. friend of his, not then present (Mr. Whitbread) had been the only two members on that side of the House who had taken an active part in the proceeding. On that, and on every other occasion in which the consideration of her Royal Highness's situation had been involved, he had uniformly and distinctly declared, that so far from having either directly or indirectly advised her Royal Highness, he had never in his life uttered a single word to her Royal Highness, and had never even had the honour of being introduced to her. That declaration he solemnly repeated, because out of doors it was not impossible but that an impression of a contrary nature might be made by what had occurred. For the increase of her Royal Higness's establishment he certainly had voted; but he protested, that he had not done so on mere pecuniary grounds, but because he conceived, that by obtaining that additional grant her Royal Highness would shew the world that she had the countenance and support of the House of Commons, and that they considered her to be entitled to their protection. But if, at the bottom of that proposition, there existed any arrangement savouring of an understanding that the public should be deemed to have paid the price of her Royal Highness's quitting the country, in that arrangement, if it did exist, he solemnly protested that he had no hand. He would not have voted for the additional grant had he supposed such a thing possible.—He was sure the House would not have acceded to it had they supposed such a thing possible.—He was sure, that the House acquiesced in the proposition only because they wished that her Royal Highness should be enabled to maintain her rank with adequate splendour in this country. If any such scheme as that to which he had alluded was actually in contemplation, he trusted that the noble lord was not a party to it; and he hoped that the noble lord would take care that the public should not be burdened by its consequences. He repeated his conviction, that parliament had not entertained any such idea as to vote an additional income to her Royal Highness for the purpose of its being spent abroad. The only justifiable ground of that vote, even in its reduced state, was, that it was necessary to the proper splendour of her Royal Highness in this country. If, notwithstanding, her Royal Highness should go abroad, he trusted that the ministers of the crown would take care that no remittance should be sent from this country without the leave of parliament. He had been induced to make these observations by the persuasion that the course which he had pursued on this subject had exposed him to much misconstruction, from the effects of which he was desirous to guard himself by once more solemnly protesting against the departure of her Royal Highness, and calling on ministers to prevent any remittances from being sent abroad without the sanction of parliament.

Lord *Castlereagh* confessed, that he felt great difficulty to determine in what light he was to consider the observations which the right hon. gentleman had just made. He had understood the right hon. gentleman to say, that he wished merely to ask some questions; instead of which the right hon. gentleman had thought proper to make a speech—and a speech of considerable extent. As to the questions themselves, he must say that the right hon. gentleman was a little unfortunate in his selection of the person to whom he addressed them. An hon. friend of the right hon. gentleman's, not then present, must be much better acquainted with her royal highness the Princess of Wales's intentions; being much more in the confidence of her Royal Highness than he had the honour to be. For his part he knew nothing of her Royal Highness's intentions. All he knew was, that her Royal Highness had signified to one of his Majesty's ministers, in order that it might be communicated to the Prince Regent, her Royal Highness's intention to go to the continent. What the right hon. gentleman's motives had been in voting for the late addition to her Royal Highness's income he knew not; but he was persuaded that, in agreeing to that proposition, the House had no intention of imprisoning her Royal Highness in this country, or of preventing her Royal Highness from residing wherever considerations of her own pleasure or convenience might induce her to take up her abode.

Mr. *Tierney* was sure that the House must be surprised to hear from the noble lord that the residence of her royal highness the Princess of Wales in England was to be considered an imprisonment. The noble lord had just declared, that he did not know what were her Royal Highness's intentions in going to the continent. This he would say, that when her Royal Highness applied to his Majesty's ministers on the subject, they betrayed their trust if they did not inform themselves thoroughly of the nature of her Royal Highness's intentions. As the proceedings of the House would necessarily be interrupted in a few minutes, he felt it to be a point of candour to abstain from making a number of other observations which presented themselves to his mind, but to which it would be impossible that he should receive any reply. He was sure the House, in their recent grant, had never contemplated the departure of her Royal Highness from this country. (Mr. Rose laughed audibly). The right hon. gentleman seemed mightily entertained at this declaration. Perhaps the right hon. gentleman knew more of the subject than any of them.—Perhaps he might be able to tell the House what were her Royal Highness's intentions, although the noble lord had not been so. He would say no more than again enter his protest against his Majesty's ministers allowing her Royal Highness to quit the country without completely ascertaining her Royal Highness's motives, and without taking measures to insure her early return.

Lord *Castlereagh*, in explanation, observed, that no one could suppose he had used the word 'imprisonment' in its strongest sense. If any illiberal attempt were made to prevent her Royal Highness from quitting this country, if she thought fit, then, in that sense, he might be allowed to say, that she would be imprisoned in this country.

Mr. *Rose* said, that his mirth had been excited by the most extravagant, not to say the most absurd, statements and assertions of the right hon. gentleman. The right hon. gentleman was perfectly free to explain what were his own motives for voting for an increased allowance to her royal highness the Princess of Wales; but, when he proceeded to identify the House of Commons with himself, and unequivocally to declare, that it was the sense of the House, not to allow her Royal Highness to go out of the country; it was impossible to listen to any thing so whimsically extravagant without being provoked to a smile.

Mr. *Tierney* expressed his readiness to submit to all the imputations and misrepresentations of the right hon. gentleman and his friends; perfectly satisfied, as he was, that there was not a thinking man from one end of the island to the other, who would not feel the greatest alarm at the step which her Royal Highness was about to take. With respect to his hon. friend (Mr. Whitbread), who had been described by the noble lord as being in possession of her Royal Highness's confidence, he had his hon. friend's authority for stating, not only that he had not advised her Royal Highness to quit the country, but that he had most earnestly advised her not to do so.

Here the conversation dropped.

Commercial Intercourse with France.] Sir *F. Burdett* wished to ask his Majesty's ministers a question. It had been recently rumoured, that a proposition had been made by the government of France to the government of England, to admit all articles, the respective produce of the two countries, reciprocally, on the payment of a low duty—he believed 10 per cent. *ad valorem.* From this proposition such great advantages seemed likely to arise to Great Britain, that he wished to know whether it had actually been made. If it had, he hoped it had been met in a similar spirit of liberality on our part.

Lord *Castlereagh* replied, that the hon. baronet might rest assured, that any proposition made to the British government, which was founded on the principles of a liberal commercial intercourse with other nations, would certainly be received with the utmost cordiality and attention. It could not be expected, however, that he would at present state any thing with respect to any precise proposition that might have been made by any foreign power.

Norway.] Mr. *W. Smith* asked the noble lord, whether he was aware, or if he was not aware, whether he thought it right to say, if there would be any impediment to the discussion of the affairs of Sweden and Norway at the approaching Congress? However the urgency of the existing circumstances might, at the time, seem to sanction it, there was certainly a large body of individuals in this country, who thought that our treaty with Sweden, as it respected the annexation of Norway to that power, extremely unjust; and he was persuaded, therefore, that it would give great and general satisfaction, if the noble lord could feel justified in holding out a hope, that this unfortunate affair might probably be put in a train of arrangement.

Lord *Castlereagh* said, that he could not take upon himself to give any reply to the hon. gentleman.

MESNE PROCESS.] Sir *F. Burdett* presented a Petition from Hannah Jackson, widow of the late Joseph Jackson, of Sheffield, Yorkshire; who died under imprisonment for debt on Mesne Process, in the King's-bench prison, on the 18th day of this instant July, was presented and read; praying, that an Act may pass t abolish for ever, by law, the imprisonmen for debt on Mesne Process; or that som check may be put to the existing powe of the fictitious creditor, by means o which the civil liberty of the subject ma be most grossly violated.

Ordered to lie upon the table.

PROROGATION OF PARLIAMENT.] Th Usher of the Black Rod then made his ap pearance, and summoned the House t attend his royal highness the Prince Re gent's Speech, in the House of Lords. O their return, the Speaker took his seat a the table, and beckoning all the member around him, read a copy of his Roya Highness's Speech on proroguing parlia ment; after which they separated.

I.—PUBLI

# I.—PUBLIC INCOME OF GREAT BRITAIN,

## FOR THE YEAR ENDING FIFTH JANUARY, 1814.

*An Account of the* ORDINARY REVENUES *and* EXTRAORDINARY RESOURCES *constituting the* PUBLIC INCOME *of* GREAT BRITAIN.

| HEADS OF REVENUE. | GROSS RECEIPT: Total Sum to be accounted for. | | | Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue. | | | NET PRODUCE applicable to National Objects, and to Payments into the Exchequer. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| **Ordinary Revenues.** | | | | | | | | | |
| *Permanent and Annual Taxes.* | | | | | | | | | |
| CUSTOMS | 10,938,523 | 16 | 7½ | 2,852,210 | 13 | 10 | 8,086,313 | 2 | 9½ |
| EXCISE | 21,119,321 | 9 | 6 | 2,592,442 | 4 | 8¼ | 18,526,879 | 4 | 9¾ |
| STAMPS | 5,873,174 | 14 | 7½ | 320,714 | 13 | 4¼ | 5,552,460 | 1 | 3¼ |
| LAND AND ASSESSED TAXES | 8,101,968 | 7 | 3¼ | 298,509 | 3 | 11 | 7,803,459 | 3 | 4¼ |
| POST OFFICE | 2,137,437 | 12 | 5¼ | 518,301 | 1 | 10 | 1,619,136 | 10 | 7¼ |
| PENSIONS AND SALARIES... 1*s.* in the £. | 20,803 | 10 | 8 | 380 | 5 | 6 | 20,423 | 5 | 2 |
| PENSIONS AND SALARIES... 6*d.* in the £. | 13,521 | 0 | 5½ | 1,369 | 4 | 6 | 12,151 | 15 | 11½ |
| HACKNEY COACHES | 25,551 | 19 | 3 | 3,306 | 13 | 1½ | 22,245 | 6 | 1½ |
| HAWKERS AND PEDLARS | 20,779 | 14 | 4½ | 2,578 | 11 | 3½ | 18,201 | 3 | 1 |
| Total Permanent and Annual Duties. | 48,251,082 | 5 | 2½ | 6,589,812 | 12 | 0½ | 41,661,269 | 13 | 2 |
| *Small Branches of the Hereditary Revenue.* | | | | | | | | | |
| ALIENATION FINES | 9,539 | 12 | 1 | 1,147 | 8 | 0 | 8,392 | 4 | 1 |
| POST FINES | 4,011 | 17 | 2 | 58 | 12 | 6 | 3,953 | 4 | 8 |
| SEIZURES | 22,638 | 4 | 7 | - | - | | 22,638 | 4 | 7 |
| COMPOSITIONS AND PROFFERS | 586 | 15 | 2 | - | - | | 586 | 15 | 2 |
| CROWN LANDS | 90,096 | 18 | 5½ | 2,393 | 13 | 7½ | 87,703 | 4 | 10 |
| **Extraordinary Resources.** | | | | | | | | | |
| *War Taxes.* | | | | | | | | | |
| CUSTOMS | 3,818,272 | 14 | 9¼ | 542,914 | 9 | 5 | 3,275,358 | 5 | 4¼ |
| EXCISE | 6,259,884 | 14 | 7¾ | 142,027 | 14 | 4 | 6,117,857 | 0 | 3¾ |
| PROPERTY TAX | 14,889,444 | 15 | 3¾ | 306,158 | 5 | 9¼ | 14,583,286 | 9 | 6½ |
| ARREARS OF INCOME DUTY, &c. | 1,620 | 13 | 8 | 26 | 18 | 3½ | 1,593 | 15 | 4½ |
| Lottery, Net Profit (of which one third part is for the Service of Ireland) | 310,800 | 0 | 0 | 32,133 | 13 | 6 | 278,666 | 6 | 6 |
| Monies paid on Account of the Interest of Loans raised for the Service of Ireland | 3,198,475 | 2 | 10 | - | - | | 3,198,475 | 2 | 10 |
| On Account of Balance due by Ireland on joint Expenditure of the United Kingdom | 3,956,276 | 0 | 0 | - | - | | 3,956,276 | 0 | 0 |
| On Account of the Commissioners, appointed by Act 35 Geo. 3, cap. 127, and 37 Geo. 3, cap. 27, for issuing Exchequer Bills for Grenada, &c. | 54,200 | 0 | 0 | - | - | | 54,200 | 0 | 0 |
| On Account of the Commissioners for issuing Commercial Exchequer Bills, by Act 51 Geo. 3, cap. 15 | 490,591 | 18 | 9 | - | - | | 490,591 | 18 | 9 |
| On Account of the Interest, &c. of a Loan granted to the Prince Regent of Portugal | 57,170 | 3 | 0 | - | - | | 57,170 | 3 | 0 |
| Surplus Fees of Regulated Public Offices | 107,355 | 18 | 3 | - | - | | 107,355 | 18 | 3 |
| Imprest Money repaid by sundry Public Accountants, &c. including Interest | 56,504 | 1 | 10¾ | - | - | | 56,504 | 1 | 10¾ |
| Other Monies paid to the Public | 65,660 | 9 | 5 | - | - | | 65,660 | 9 | 5 |
| Total, independent of Loans | 81,644,212 | 5 | 2½ | 7,616,673 | 7 | 5¾ | 74,027,538 | 17 | 8¾ |
| LOANS paid into the Exchequer (including £.6,000,000 for the Service of Ireland | 35,050,574 | 17 | 9 | - | - | | 35,050,574 | 17 | 9 |
| GRAND TOTAL | 116,694,787 | 2 | 11½ | 7,616,673 | 7 | 5¾ | 109,078,113 | 15 | 5¾ |

## *The Gross and Net Produce of the* DUTIES *arising from* STAMPS *in* ENGLAND, *in the Year ending 5th January* 1814.

| | CROSS PRODUCE. | | | Discounts and Parliamentary Allowances. | | | Charges of Management and Incidents. | | | Parchment, Paper, and Blanks, for the use of the Country. | | | Drawbacks, and Returns of Duty. | | | Over Payments by late Distributers repaid. | | | NET PRODUCE. | | | Payments into the Exchequer. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Probates and Administrations, Bills of Exchange, and Promissory Notes and Receipts) and on Licences to Pawnbrokers and Dealers in Thread Lace | 2,010,598 | 13 | 5¾ | 15,082 | 1 | 9 | 62,324 | 14 | 10¾ | 31,885 | 7 | 11 | - | - | - | 71 | 8 | 2 | 1,901,235 | 0 | 9 | 1,837,188 | 13 | 6 |
| Legacies | 545,115 | 6 | 3 | - | - | - | 19,108 | 6 | 4 | - | - | - | 872 | 2 | 9 | - | - | - | 525,134 | 17 | 2 | 625,079 | 2 | 8 |
| Probates and Administrations | 417,263 | 5 | 2 | 4,437 | 10 | 7 | 10,176 | 15 | 11¾ | 72 | 18 | 4 | - | - | - | - | - | - | 402,576 | 0 | 3¼ | 405,463 | 1 | 4 |
| Bills of Exchange and Promissory Notes | 624,353 | 17 | 5 | 5,473 | 0 | 0 | 16,079 | 13 | 0 | 258 | 15 | 0 | - | - | - | - | - | - | 602,542 | 9 | 5 | 601,371 | 19 | 2 |
| Receipts | 161,080 | 9 | 3 | 7,834 | 12 | 1 | 4,418 | 16 | 11¼ | - | - | - | - | - | - | - | - | - | 148,827 | 0 | 2¾ | 148,843 | 0 | 5 |
| Newspapers and Almanacks | 394,041 | 0 | 4 | 59,963 | 11 | 2 | 5,007 | 12 | 1 | - | - | - | - | - | - | - | - | - | 329,069 | 17 | 1 | 329,069 | 17 | 1 |
| Medicine and Medicine Licences | 41,578 | 11 | 3½ | 4,597 | 0 | 5 | 792 | 19 | 3 | - | - | - | - | - | - | - | - | - | 36,188 | 11 | 7½ | 36,844 | 6 | 5 |
| Fire Insurances | 437,380 | 18 | 6 | 23,335 | 6 | 4 | 8,201 | 10 | 0½ | - | - | - | - | - | - | - | - | - | 405,844 | 2 | 1½ | 405,286 | 17 | 8 |
| Cards | 24,462 | 5 | 0 | 362 | 18 | 6 | 310 | 17 | 5 | - | - | - | - | - | - | - | - | - | 23,788 | 9 | 1 | 23,788 | 9 | 1 |
| Gold and Silver Plate | 66,198 | 9 | 4½ | 1,653 | 8 | 0¾ | 1,107 | 17 | 7 | - | - | - | 3,406 | 8 | 2 | - | - | - | 60,030 | 15 | 6¾ | 59,771 | 17 | 0 |
| Dice | 723 | 0 | 0 | - | - | - | 10 | 1 | 6 | - | - | - | - | - | - | - | - | - | 712 | 18 | 6 | 712 | 18 | 6 |
| Pamphlets | 415 | 13 | 8 | - | - | - | 5 | 12 | 10 | - | - | - | - | - | - | - | - | - | 410 | 0 | 10 | 410 | 18 | 4 |
| Advertisements | 114,111 | 12 | 10 | - | - | - | 3,763 | 3 | 0½ | - | - | - | - | - | - | - | - | - | 110,348 | 9 | 9½ | 109,651 | 4 | 8 |
| Stage Coaches | 167,239 | 17 | 0¾ | - | - | - | 4,229 | 10 | 1 | - | - | - | - | - | - | - | - | - | 163,010 | 6 | 11¼ | 160,988 | 4 | 8 |
| Post Horses | 247,467 | 10 | 0 | - | - | - | 3,144 | 17 | 10 | - | - | - | - | - | - | - | - | - | 244,322 | 12 | 2 | 244,322 | 12 | 2 |
| Race Horses | 868 | 7 | 0 | 42 | 10 | 1 | 39 | 0 | 0½ | - | - | - | - | - | - | - | - | - | 786 | 16 | 10½ | 689 | 7 | 8 |
| | 5,252,898 | 16 | 7½ | 122,781 | 18 | 11¾ | 138,721 | 8 | 10¼ | 32,217 | 1 | 3 | 4,278 | 10 | 11 | 71 | 8 | 2 | 4,954,828 | 8 | 5½ | 4,989,462 | 10 | 4 |
| Lottery | 4,469 | 4 | 8 | - | - | - | 695 | 1 | 1 | - | - | - | - | - | - | - | - | - | 3,774 | 3 | 7 | 3,774 | 3 | 7 |

*The Gross and Net Produce, and Payments into the Exchequer, of the* DUTIES *arising from* STAMPS *in* SCOTLAND, *in the Year ending 5th January* 1814.

| | GROSS PRODUCE. | | | Discounts and Parliamentary Allowances. | | | Drawback on Plate. | | | Charges of Management and Incidents. | | | Returns of Duty. | | | NET PRODUCE. | | | Remittances paid into the Exchequer. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Deeds, Law Proceedings, and other written Instruments (except Legacy Receipts, Testamentary Inventories, Bills of Exchange, and Promissory Notes and Receipts) and on Licences to Pawnbrokers and Dealers in Thread Lace; also Newspapers and Almanacks | 184,800 | 9 | 5½ | 3,821 | 2 | 6 | - | - | | 8,114 | 17 | 11 | - | - | | 172,864 | 9 | 0½ | 168,203 | 8 | 0 |
| Legacies | 26,186 | 0 | 2 | - | - | | - | - | | 1,372 | 3 | 8 | 13 | 12 | 10 | 24,800 | 0 | 0 | 23,820 | 0 | 0 |
| Bills of Exchange and Promissory Notes | 95,543 | 4 | 1 | - | - | | - | - | | 4,473 | 10 | 3 | - | - | | 91,069 | 13 | 10 | 90,380 | 0 | 0 |
| Testamentary Inventories | 16,697 | 7 | 11 | - | - | | - | - | | 701 | 0 | 0 | 655 | 0 | 0 | 15,341 | 7 | 11 | 14,220 | 0 | 0 |
| Receipts | 11,569 | 9 | 11½ | - | - | | - | - | | 697 | 0 | 0½ | - | - | | 10,872 | 9 | 11 | 10,830 | 0 | 0 |
| Fire Insurance | 15,918 | 19 | 4 | 795 | 17 | 11 | - | - | | 4 | 14 | 11 | - | - | | 15,118 | 6 | 6 | 15,100 | 0 | 0 |
| Gold and Silver Plate | 3,425 | 17 | 5¼ | 85 | 12 | 9¼ | 22 | 6 | 3 | 178 | 7 | 0 | - | - | | 3,139 | 11 | 4½ | 3,310 | 0 | 0 |
| Medicine and Medicine Liceuces | 210 | 17 | 0 | - | - | | - | - | | 32 | 1 | 6 | - | - | | 178 | 15 | 6 | 160 | 0 | 0 |
| Advertisements | 14,623 | 7 | 0 | - | - | | - | - | | 672 | 15 | 8 | - | - | | 13,950 | 11 | 4 | 13,950 | 11 | 4 |
| Stage Coaches | 11,732 | 10 | 3 | - | - | | - | - | | 305 | 7 | 6 | - | - | | 11,427 | 2 | 9 | 11,200 | 0 | 0 |
| Pamphlets | 6 | 4 | 0 | - | - | | - | - | | - | - | | - | - | | 6 | 4 | 0 | 6 | 4 | 0 |
| Race Horses | 73 | 10 | 0 | 3 | 13 | 4 | - | - | | - | - | | - | - | | 69 | 16 | 8 | 69 | 16 | 8 |
| | 380,787 | 16 | 7¼ | 4,706 | 6 | 6¾ | 22 | 6 | 3 | 16,551 | 18 | 5½ | 668 | 12 | 10 | 358,838 | 12 | 6 | 351,250 | 0 | 0 |

## The GROSS and NET PRODUCE and Payments into the Exchequer, of the REVENUE under the Management of the Commissioners of TAXES in ENGLAND and WALES, in the Year ending 5th January 1814.

| TAXES. | GROSS PRODUCE, being the Gross Receipt, 1813. | | | Advances and Disbursements under the authority of various Acts of Parliament. | | | | Charges of Management. | | | NET PRODUCE, being the Payments into the Exchequer. | | | | Total of Payments, Advances, and Disbursements, and Charges of Management. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | | £. | s. | d. | £. | s. | d. | | £. | s. | d | £. | s. | d. |
| Land Tax | 1,272,256 | 16 | 3¼ | Militia and Deserters Warrants | 78,367 | 5 | 6 | 36,768 | 3 | 9¼ | Land Tax | 1,127,078 | 8 | 3½ | 1,272,256 | 16 | 3¼ |
| | | | | Volunteers | 15,208 | 8 | 2 | | | | | | | | | | |
| | | | | Defence Acts | 1,646 | 3 | 0 | | | | | | | | | | |
| | | | | Army of Reserve | 5,947 | 16 | 2½ | | | | | | | | | | |
| | | | | Expences under Land Tax Redemption Acts | 7,240 | 11 | 4 | | | | | | | | | | |
| Assessed Taxes | 6,155,867 | 0 | 6 | - - | - | - | | 252,048 | 10 | 4¾ | Assessed Taxes | 5,903,818 | 10 | 1¼ | 6,155,867 | 0 | 6 |
| Property Tax | 13,016,041 | 17 | 3¾ | - - | - | - | | 265,633 | 10 | 1¾ | Property Tax | 12,750,408 | 7 | 2 | 13,016,041 | 17 | 3¾ |
| Aid and Contribution Tax | - | - | | - - | - | - | | - | - | | Aid and Contribution Tax | - | - | | - | - | |
| Income Tax | 1,020 | 13 | 8 | - - | - | - | | 26 | 18 | 3½ | Income Tax | 993 | 15 | 4½ | 1,020 | 13 | 8 |
| Totals | 20,445,186 | 7 | 9 | - - | 108,410 | 4 | 2½ | 554,477 | 2 | 7¼ | | 19,782,299 | 0 | 11¼ | 20,445,186 | 7 | 9 |

## The same for SCOTLAND.

| TAXES. | £. | s. | d. | | £. | s. | d. | £. | s. | d. | | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Land Tax | 31,143 | 1 | 1¾ | Militia and Deserters Warrants | 9,586 | 8 | 4¼ | - | - | | Land Tax | 18,700 | 0 | 0 | 31,143 | 1 | 1¾ |
| | | | | Volunteers | 156 | 1 | 2 | | | | | | | | | | |
| | | | | Army of Reserve | 2,179 | 12 | 1 | | | | | | | | | | |
| | | | | Population Act | 520 | 19 | 6½ | | | | | | | | | | |
| Assessed Taxes | 414,593 | 19 | 1½ | Militia | 7,264 | 3 | 1½ | 9,692 | 9 | 9 | Assessed Taxes | 383,900 | 0 | 0 | 414,593 | 19 | 1½ |
| | | | | Volunteers | 1,153 | 4 | 2 | | | | | | | | | | |
| | | | | Army of Reserve | 11 | 4 | 2 | | | | | | | | | | |
| | | | | Augmentation of Stipends to Scotch Clergy (50 Geo. 3, c. 84) | 12,572 | 17 | 11 | | | | | | | | | | |
| Property Tax | 1,255,924 | 15 | 7½ | - - | - | - | | 40,524 | 15 | 7½ | Property Tax | 1,215,400 | 0 | 0 | 1,255,924 | 15 | 7½ |
| Aid and Contribution Tax | - | - | | - - | - | - | | - | - | | Aid and Contribution Tax | - | - | | - | - | |
| Income Tax | 600 | 0 | 0 | - - | - | - | | - | - | | Income Tax | 600 | 0 | 0 | 600 | 0 | 0 |
| Totals | 1,702,261 | 15 | 10¾ | - - | 33,444 | 10 | 6¼ | 50,217 | 5 | 4½ | | 1,618,600 | 0 | 0 | 1,702,261 | 15 | 10¾ |

*The Gross and Net Produce, and Payments into the Exchequer, of the Revenue arising from the* POST OFFICE *in* ENGLAND *and* SCOTLAND *respectively, for the Year ending 5th Jan.* 1814; *Likewise an Account of the* PENSIONS *and* PARLIAMENTARY GRANTS, *paid out of the Revenue of the Post Office.*

| | GROSS PRODUCE. | | | Management. | | | Returns. | | | Packet Establishment. | | | Captured and Extra Packets. | | | Irish, with £.4,000 per ann. | | | Irish Inland Postage. | | | NET. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Inland (Part estimated)............... | 1,532,980 | 12 | 11 | 267,896 | 14 | 0 | 52,310 | 5 | 11 | 13,873 | 11 | 2 | 62,867 | 19 | 7 | - | - | | - | - | | 1,136,027 | 2 | 3 |
| Foreign .............. .................. | 128,647 | 14 | 10 | 19,783 | 4 | 5 | 807 | 3 | 7 | 23,600 | 8 | 5 | 42,000 | 0 | 0 | - | - | | - | - | | 42,456 | 18 | 5 |
| Twopenny Post ......................... | 93,299 | 15 | 5 | 35,623 | 16 | 2 | - | - | | - | - | | - | - | | - | - | | - | - | | 57,675 | 19 | 3 |
| Scotland ...................................... | 191,884 | 15 | 6 | 26,247 | 1 | 3 | 11,543 | 8 | 4 | - | - | | - | - | | - | - | | - | - | | 154,094 | 5 | 11 |
| Ireland.................. .................. | 59,236 | 18 | 8 | - | - | | 2,671 | 9 | 0 | - | - | | - | - | | 8,676 | 12 | 0 | 17,726 | 14 | 10 | 29,962 | 2 | 10 |
| TOTAL ...................... | 2,006,049 | 17 | 4 | 349,550 | 15 | 10 | 67,532 | 6 | 10 | 37,478 | 19 | 7 | 104,867 | 19 | 7 | 8,676 | 12 | 0 | 17,726 | 14 | 10 | 1,420,216 | 8 | 8 |

| Payments, paid into the Exchequer by the Receiver General. | | | Parliamentary Grants. | | | Total Exchequer Payments, and Parliamentary Grants. | | | Edinburgh Remittances. | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| £. | s. | d. | £. | s. | d. | £. | s. | d. | | £. | s. | d. |
| 1,403,000 | 0 | 0 | 13,700 | 0 | 0 | 1,416,700 | 0 | 0 | 5th April 1813.......... | 37,127 | 5 | 2 |
| | | | | | | | | | 5th July .................. | 38,143 | 17 | 5 |
| | | | | | | | | | 10th October ............ | 39,211 | 9 | 4 |
| | | | | | | | | | 5th January 1814 ...... | 35,906 | 3 | 4 |
| | | | | | | | | | | 150,388 | 15 | 3 |

## II.—CONSOLIDATED FUND and PERMANENT TAXES.—Income and Charge, 1814.

| INCOME. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| CUSTOMS. Consolidated, after reserving £.62,500 per quarter, from 5th July 1803, per Act 53 Geo. 3, cap. 68, to be carried to Duties pro Anno 1803, and £.105,000 per Annum, per Act 49 Geo. 3, to be carried to Duties pro Anno 1809 | £.2,326,039 | 6 | 3¼ | | | |
| Isle of Man Duties | 7,343 | 4 | 3½ | | | |
| Quarantine Duty | 13,311 | 5 | 8 | | | |
| Canal and Dock Duty | 27,653 | 19 | 9½ | 2,374,347 | 16 | 0¼ |
| EXCISE. Consolidated, after reserving the several Sums carried per Acts 45 and 46 Geo. 3, cap. 44, and 31, to Duties pro Annis 1805 and 1806 | | | | 14,097,967 | 1 | 8½ |
| STAMPS. Consolidated, after reserving as directed per 48 Geo. 3 | £.2,910,949 | 3 | 5½ | | | |
| Licences for selling Lottery Tickets | 3,774 | 3 | 7 | 2,914,723 | 7 | 0½ |
| INCIDENTS | | | | 5,765,874 | 1 | 5 |
| Fines of Leases | | | | 2,560 | 0 | 0 |
| Surplus of Sugar, Malt, & Tobacco, annually granted | | | | 1,255,438 | 10 | 4¾ |
| Ditto Annual Malt, 1810, 1811, 1812 | | | | 430,882 | 0 | 0 |
| Pensions, Offices, and Personal Estates, 1808 to 1813 | | | | 60,918 | 1 | 1¼ |
| Land Taxes, 1798 to 1813 | | | | 1,082,367 | 10 | 8¼ |
| Income Duty, 1799 to 1801 | | | | 1,433 | 7 | 6½ |
| Arrears of Assessed Taxes, 1798 | | | | - | - | |
| Money reserved on account of Nominees appointed by the Lords of the Treasury, in Tontine, 1789 | | | | 23,778 | 18 | 11½ |
| Monies paid by divers Persons | | | | 1,204,033 | 12 | 2¾ |
| Total Income applicable to paying the Charge prior to 1803, and the Incidental Charges as they stood on the 5th of January 1814 | | | | 29,214,324 | 7 | 1¼ |

| CHARGE. | Actual Payment out of the Consolidated Fund, in the Year ended 5th January 1814. | | | Future Annual Charge upon the Consolidated Fund, as it stood on 5th January 1814. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| Total Charge for Debt created prior to 5th of January 1803 | 23,395,925 | 18 | 8¼ | 19,389,036 | 5 | 8 |
| **CIVIL LIST.** | | | | | | |
| His Majesty's Household, per Act 17 Geo. 3 | 898,000 | 0 | 0 | 898,000 | 0 | 0 |
| Ditto 44 | 60,000 | 0 | 0 | 60,000 | 0 | 0 |
| Ditto 52 | 70,000 | 0 | 0 | 70,000 | 0 | 0 |
| Total | 1,028,000 | 0 | 0 | 1,028,000 | 0 | 0 |
| **COURTS OF JUSTICE.** | | | | | | |
| Judges of England and Wales, in augmentation of their Salaries | 13,050 | 0 | 0 | 13,050 | 0 | 0 |
| Deficiencies of Judges' Salaries in England | 12,962 | 19 | 7 | Uncertain. | | |
| Additional Salaries to the Welch Judges | 3,200 | 0 | 0 | 3,200 | 0 | 0 |
| Aaron Graham, Esq. Inspector of Temporary Places of Confinement for Felons | 350 | 0 | 0 | 350 | 0 | 0 |
| John Baldwin, Esq. Receiver of the Seven Police Offices | 18,561 | 7 | 2 | Uncertain. | | |
| Patrick Colquhoun, Esq. Ditto Thames Police Office | 6,067 | 16 | 3 | | | |
| Vice Admiralty Judges:— | | | | | | |
| J. W. Compton, Esq. V. Adm. Judge at Barbadoes | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| Henry Moreton Dyer, Esq. ... Ditto ... Bahamas | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| Alexander Croke, Esq. Ditto ... Nova Scotia | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| John Sewell, Esq. Ditto ... Malta | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| Henry John Hinchliffe, Esq.... Ditto ... Jamaica | 2,000 | 0 | 0 | 2,000 | 0 | 0 |
| Sheriffs of England and Wales | 4,000 | 0 | 0 | 4,000 | 0 | 0 |
| Clerk of the Hanaper | 2,500 | 0 | 0 | Uncertain. | | |
| **MINT.** | | | | | | |
| Master of his Majesty's Mint in England | 13,800 | 0 | 0 | Uncertain. | | |

| | £ | s. | d. |
|---|---|---|---|
| Reserved out of Consolidated Customs | 250,000 | 0 | 0 |
| Ditto......Consolidated Stamps | 59,695 | 15 | 3 |
| Houses and Windows, Inhabited Houses, Male Servants, and Carriages | 240,375 | 13 | 4½ |
| Interest, &c. on Loan for Ireland | 136,005 | 16 | 4 |
| TOTAL | 686,077 | 4 | 11½ |
| DUTIES pro Anno 1804. | | | |
| Brought from Consolidated Stamps | 960,346 | 18 | 11 |
| Interest, &c. on Loan for Ireland | 330,001 | 18 | 7 |
| TOTAL | 1,290,348 | 17 | 6 |
| DUTIES pro Anno 1805. | | | |
| Brought from Consolidated Customs | 262,353 | 5 | 0 |
| Ditto......ditto......Stamps | 52,313 | 16 | 8½ |
| Taken from Consolidated Letter Money | 296,027 | 5 | 7 |
| Reserved out of Consolidated Duties on Assessed Taxes, Duty on Horses | 143,320 | 2 | 7 |
| Duties taken from Consolidated Excise, Salt, Auctions, Bricks and Tiles, Cyder and Perry, Glass, Vinegar, and Wire | 661,680 | 0 | 0 |
| Interest, &c. on Loan for Ireland | 276,867 | 8 | 8 |
| TOTAL | 1,692,561 | 18 | 6½ |
| DUTIES pro Anno 1806. | | | |
| Wine, 1803, 1804, and Tea | 380,169 | 0 | 0 |
| British Spirits, 1806 | 288,839 | 19 | 5¼ |
| Reserved out of Consolidated Duties on Assessed Taxes | 556,619 | 17 | 0 |
| Ditto...out of Consolidated Stamps | 6,917 | 1 | 4 |
| Interest, &c. on Loan for Ireland | 133,823 | 18 | 0 |
| TOTAL | 1,366,569 | 13 | 9¼ |
| DUTIES pro Anno 1807. | | | |
| Brought from War Taxes to pay the Charge of Loan | 1,200,000 | 0 | 0 |
| Interest, &c. on Loan for Ireland | 222,804 | 15 | 7 |
| TOTAL | 1,422,804 | 15 | 7 |
| DUTIES pro Anno 1808. | | | |
| Surplus of Consolidated Duties on Assessed Taxes | 140,209 | 10 | 0 |

[This Account continued over leaf.]

| | £ | s. | d. | £ | s. | d. |
|---|---|---|---|---|---|---|
| Ditto ....Scotland | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| Deficiency of Mint Fees | 2,333 | 17 | 0 | Uncertain. | | |
| SALARIES, ALLOWANCES, &c. | | | | | | |
| The Speaker of the House of Commons, to complete his Salary of 6,000*l.* per annum | 55 | 16 | 6 | Uncertain. | | |
| Marquis of Bute, late one of the Auditors of Imprest | 7,000 | 0 | 0 | 7,000 | 0 | 0 |
| Philip Deare, Esq. late Deputy to ditto | 75 | 0 | 0 | Dead. | | |
| Edward Roberts, Esq. an annual Sum, formerly paid to the Auditor | 650 | 0 | 0 | 650 | 0 | 0 |
| George Pepler, Esq. Inspector of Tontine Certificates | 600 | 0 | 0 | Uncertain. | | |
| Chief Cashier of the Bank, for Fees at sundry Public Offices | 1,038 | 7 | 0 | | | |
| Dean and Chapter of Westminster, per Act 50 Geo. 3, cap. 119 | 419 | 11 | 2 | 419 | 11 | 2 |
| Ditto ....ditto....ditto | 38 | 5 | 0 | 38 | 5 | 0 |
| For the Encouragement of the Growth of Hemp and Flax in Scotland | 2,956 | 13 | 8 | 2,956 | 13 | 8 |
| COMMISSIONERS OF PUBLIC ACCOUNTS. | | | | | | |
| William Mackworth Praed, Esq. Chairman | 1,500 | 0 | 0 | 1,500 | 0 | 0 |
| Sir Charles W. Rouse Boughton, Bart. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| Francis Percival Eliot, Esq. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| Richard Dawkins, Esq. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| John Anstey, Esq. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| John Whishaw, Esq. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| Philip Deare, Esq. | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| John Sargent, Esq. | 435 | 3 | 3½ | Dead. | | |
| Salaries and Contingencies in the Office | 1,200 | 0 | 0 | 1,200 | 0 | 0 |
| | 36,330 | 11 | 1 | Uncertain. | | |
| COMMISSIONERS OF WEST INDIA ACCOUNTS. | | | | | | |
| John Halket, Esq. | 1,500 | 0 | 0 | 1,500 | 0 | 0 |
| James Chapman, Esq. | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| John Wilson, Esq. | 1,000 | 0 | 0 | 1,000 | 0 | 0 |
| Salaries and Contingencies in the Office | 6,156 | 6 | 11 | Uncertain. | | |
| MISCELLANEOUS, (See Appendix, C. No. V. Public Expenditure) | 79,956 | 5 | 0 | Nearly the same. | | |
| PENSIONS, (See ditto) | 332,412 | 7 | 4½ | Nearly the same. | | |
| Total of Incidental Charges upon the Consolidated Fund, as they stood on the 5th January 1814 | 1,595,350 | 6 | 11¾ | 1,416,600 | 18 | 0 |

[This Account continued over leaf.]

| | | £ | s. | d. |
|---|---|---|---|---|
| Surplus of Consolidated Stamps | | 150,000 | 0 | 0 |
| Interest, &c. on Loan for Ireland | | 148,667 | 17 | 8 |
| Total | | 438,877 | 7 | 8 |
| Duties pro Anno 1809. | | | | |
| Brought from Consolidated Customs | | 105,000 | 0 | 0 |
| Ditto from War Taxes, to pay Charge of Loan | | 1,040,000 | 0 | 0 |
| Charges of Loan for the Service of Portugal | | 57,170 | 3 | 0 |
| Interest, &c. on Loan for Ireland | | 177,228 | 18 | 5 |
| Total | | 1,379,399 | 1 | 5 |
| Duties pro Anno 1810. | | | | |
| Brought from Consolidated Stamps | | 1,200,489 | 14 | 8 |
| Interest, &c. on Loan for Ireland | | 305,611 | 16 | 6 |
| Total | | 1,506,101 | 11 | 2 |
| Duties pro Anno 1811. | | | | |
| Interest on Loan | | 466,000 | 0 | 0 |
| British Spirits, 1811 | £. 8,535 18 1 | | | |
| Foreign ditto | 28,375 0 0 | | | |
| | | 36,910 | 18 | 1 |
| Total | | 502,910 | 18 | 1 |
| Duties pro Anno 1812. | | | | |
| Stone Bottles, per 52 Geo. 3, cap. 139, Glass, Hides and Skins, Tobacco and Snuff | | 609,900 | 0 | 0 |
| Tobacco per 53 Geo. 3, cap. 34 | | 68,508 | 0 | 0 |
| Estimated Amount of the additional Duty on the Postage of Letters by the said Act | | 185,306 | 1 | 1 |
| Male Servants, Carriages, Horses for Riding, Ditto and Mules, Dogs, Horse Dealers' Licences, Game Certificates | | 465,920 | 13 | 1 |
| Interest, &c. on Loan for Ireland | | 350,875 | 9 | 7 |
| Total | | 1,680,510 | 3 | 9 |
| Duties pro Anno 1813. | | | | |
| Duty on French Wines | | 53,558 | 0 | 0 |
| Permanent Duties on Customs | | 390,156 | 13 | 10 |
| Interest, &c. on Loan for Ireland | | 203,303 | 15 | 10 |
| Total | | 647,018 | 14 | 8 |
| Total INCOME of the Consolidated Fund, as it stood on the 5th of January 1814 | | 41,827,304 | 16 | 2½ |

| Debt incurred in respect of | | | | | | | |
|---|---|---|---|---|---|---|---|
| £.12,000,000, raised for the Year | 1803 £. | 817,120 | 10 | 7 | 817,120 | 10 | 7 |
| 14,500,000 | 1804 | 1,174,168 | 18 | 0 | 1,174,168 | 18 | 0 |
| 22,500,000 | 1805 | 1,716,992 | 0 | 3½ | 1,716,992 | 0 | 3½ |
| 20,000,000 | 1806 | 1,339,288 | 0 | 0 | 1,339,288 | 0 | 0 |
| 12,000,000 part of 14,200,000 | 1807 | 1,433,762 | 9 | 1¾ | 1,435,522 | 15 | 2¼ |
| 4,000,000 Exchequer Bills, funded for | 1808 | 878,055 | 3 | 0¼ | 878,055 | 3 | 0¼ |
| 7,932,100 | 1809 | 1,377,973 | 8 | 7½ | 1,377,933 | 2 | 3 |
| 8,311,000 | 1810 | 1,276,432 | 18 | 10¾ | 1,276,549 | 18 | 2½ |
| 7,018,700 | 1811 | 1,494,726 | 17 | 8¾ | 1,495,158 | 12 | 1 |
| 5,431,700 | 1812 | 2,388,106 | 8 | 3¾ | 2,215,483 | 6 | 8½ |
| 12,000,000 | 1813 | 2,616,972 | 16 | 5¼ | 4,149,777 | 0 | 4¾ |
| 22,000,000 | 1814 | 50,877 | 2 | 4¾ | 1,763,982 | 0 | 0 |

## RECAPITULATION.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Total Charge for Debt incurred prior to | 1803 | 23,395,925 | 18 | 8¼ | 19,389,036 | 5 | 8 |
| Total of Incidental Charges | | 1,595,350 | 6 | 11¾ | 1,416,600 | 18 | 0 |
| Total Charge for Debt incurred in | 1803 | 817,120 | 10 | 7 | 817,120 | 10 | 7 |
| Ditto ......... Ditto | 1804 | 1,174,168 | 18 | 0 | 1,174,168 | 18 | 0 |
| Ditto ......... Ditto | 1805 | 1,716,992 | 0 | 3½ | 1,716,992 | 0 | 3½ |
| Ditto ......... Ditto | 1806 | 1,339,288 | 0 | 0 | 1,339,288 | 0 | 0 |
| Ditto ......... Ditto | 1807 | 1,433,762 | 9 | 1¾ | 1,435,522 | 15 | 2¼ |
| Ditto ......... Ditto | 1808 | 878,055 | 3 | 0¼ | 878,055 | 3 | 0¼ |
| Ditto ......... Ditto | 1809 | 1,377,973 | 8 | 7½ | 1,377,933 | 2 | 3 |
| Ditto ......... Ditto | 1810 | 1,276,432 | 18 | 10¾ | 1,276,549 | 18 | 2½ |
| Ditto ......... Ditto | 1811 | 1,494,726 | 17 | 8¾ | 1,498,158 | 12 | 1 |
| Ditto ......... Ditto | 1812 | 2,388,106 | 8 | 3¾ | 2,215,483 | 6 | 8½ |
| Ditto ......... Ditto | 1813 | 2,516,972 | 16 | 5¼ | 4,149,777 | 0 | 4¾ |
| Total CHARGE upon the Consolidated Fund in the Year ended 5th January 1814 | £. | 41,555,752 | 19 | 1¼ | 40,445,668 | 10 | 4¾ |

*An Account of the Net Produce of all the* PERMANENT TAXES *of* GREAT BRITAIN; *taken for Two Years ending respectively 5th January* 1813 *and 5th January* 1814.

| | | In the Year ended 5 Jan. 1813. | | | Do. 5th Jan. 1814. | | |
|---|---|---|---|---|---|---|---|
| | | £. | s. | d. | £. | s. | d. |
| CONSOLIDATED CUSTOMS | | 3,824,920 | 12 | 8¾ | 2,943,392 | 11 | 3¼ |
| PERMANENT DUTY on Ditto | | - | - | - | 390,156 | 18 | 10 |
| CONSOLIDATED CUSTOMS (ISLE OF MAN) | | 6,973 | 3 | 1½ | 7,343 | 4 | 3½ |
| .. ...Ditto............EXCISE | | 14,811,233 | 3 | 6 | 15,871,782 | 1 | 8½ |
| BRITISH SPIRITS | 1806 | 311,300 | 0 | 0 | 288,839 | 19 | 5¼ |
| ...Ditto......Ditto | 1811 | 444,172 | 0 | 0 | 8,535 | 18 | 1 |
| FOREIGN Ditto | —— | 21,929 | 0 | 0 | 28,375 | 0 | 0 |
| CONSOLIDATED STAMPS | | 5,075,670 | 4 | 11 | 5,340,712 | 10 | 4 |
| LAND TAXES | | 1,095,766 | 19 | 6½ | 1,084,860 | 7 | 2¼ |
| INCIDENTS. | | | | | | | |
| Lottery Licences | | 3,166 | 19 | 0 | 3,774 | 3 | 7 |
| Quarantine Duty | | 9,568 | 1 | 7½ | 13,311 | 5 | 8 |
| Canal and Dock Duty | | 35,608 | 15 | 2 | 43,653 | 19 | 9½ |
| Letter Money | | 1,321,000 | 0 | 0 | 1,406,000 | 0 | 0 |
| Hawkers and Pedlars | | 18,700 | 0 | 0 | 18,040 | 0 | 0 |
| Hackney Coaches | 1711 | 10,881 | 0 | 0 | 10,527 | 0 | 0 |
| Ditto ... Ditto | 1784 | 14,098 | 0 | 0 | 14,660 | 0 | 0 |
| 6*d.* per Lib. on Pensions | 1721 | 163 | 0 | 10 | —— | | |
| 1*s.* ......Ditto on Salaries | 1758 | 323 | 14 | 10 | —— | | |
| Seizures | | 5,741 | 14 | 3 | 22,638 | 4 | 7 |
| Proffers | | 629 | 6 | 8 | 584 | 15 | 2 |
| Compositions | | 2 | 16 | 8 | 2 | 0 | 0 |
| Fines and Forfeitures | | 2,727 | 5 | 4 | 1,014 | 15 | 4 |
| Rent of a Light House | | 6 | 13 | 4 | 6 | 13 | 4 |
| Ditto......Alum Mines | | 864 | 0 | 0 | 854 | 0 | 0 |
| Alienation Duty | | 4,807 | 8 | 8 | 4,069 | 12 | 0 |
| Houses | 1778 | - | - | - | 439 | 0 | 9 |
| 4 Wheeled Carriages | 1785 | 7 | 0 | 0 | —— | | |
| Hair Powder Certificates | 1795 | - | - | - | 100 | 0 | 0 |
| Horse Dealers' Licences | 1796 | - | - | - | 100 | 0 | 0 |
| Clocks and Watches | 1797 | 100 | 0 | 0 | —— | | |
| £.20 per cent. | —— | 1 | 8 | 0 | —— | | |
| Windows | 1798 | 100 | 0 | 0 | 83 | 13 | 6 |
| Houses | —— | 100 | 0 | 0 | —— | | |
| Riding Horses | —— | - | - | - | 42 | 2 | 0 |
| Armorial Bearings | —— | 100 | 0 | 0 | 200 | 0 | 0 |
| Male Servants | —— | - | - | - | 9 | 10 | 0 |
| 4 Wheeled Carriages | —— | - | - | - | 18 | 0 | 0 |
| Dogs | —— | - | - | - | 11 | 0 | 0 |
| Arrears of Taxes | —— | 1,389 | 18 | 0 | 1,092 | 19 | 4 |
| Windows | 1802 | 291 | 6 | 7 | —— | | |
| Houses | —— | 1,300 | 8 | 0 | 234 | 3 | 8 |
| Horses for Husbandry | —— | 700 | 0 | 0 | —— | | |
| Ditto ...... Riding | —— | 16 | 12 | 0 | 100 | 0 | 0 |
| Male Servants | —— | 308 | 14 | 10 | 100 | 0 | 0 |
| Dogs | —— | 100 | 0 | 0 | 400 | 0 | 0 |
| 4 Wheeled Carriages | —— | 100 | 0 | 0 | —— | | |
| 2...... Ditto...... Ditto | —— | 200 | 0 | 0 | 200 | 0 | 0 |
| Windows | 1804 | 4,921 | 0 | 9½ | 7,903 | 3 | 4¼ |
| Houses | —— | 1,742 | 3 | 5½ | 4,038 | 15 | 6½ |
| Horses for Riding | —— | 604 | 5 | 1 | 979 | 12 | 1 |
| Horses and Mules | —— | 1,784 | 15 | 3 | 148 | 4 | 1¾ |
| Horse Dealers' Licences | —— | 115 | 0 | 3 | 74 | 16 | 4 |
| Servants | —— | 496 | 11 | 6 | 1,178 | 5 | 5½ |
| Hair Powder | —— | 4 | 14 | 6 | 1,010 | 2 | 9 |
| Armorial Bearings | —— | 504 | 4 | 0 | 634 | 14 | 2½ |
| Carriages | —— | 617 | 9 | 2 | 4,328 | 12 | 11¾ |
| Dogs | —— | 549 | 13 | 2½ | 98 | 6 | 11 |
| £.10 per Cent. | 1806 | 991 | 16 | 9 | 1,730 | 2 | 0 |
| Consolidated Assessed Taxes | 1808 | 5,775,563 | 1 | 6¾ | 6,262,463 | 5 | 1 |
| 6*d.* per Lib. on Pensions | 1809 | 5,049 | 8 | 4 | 1,210 | 3 | 10½ |

| | | | In the Year ended 5 Jan. 1813. | | | Do. 5th Jan. 1814. | | |
|---|---|---|---|---|---|---|---|---|
| | | | £. | s. | d. | £. | s. | d. |
| | 1*s.* Ditto on Salaries | 1809 | 4,208 | 16 | 0 | 1,412 | 11 | 7¾ |
| | 6*d.* Ditto on Pensions | 1810 | 3,500 | 0 | 0 | 1,932 | 5 | 3 |
| | 1*s.* Ditto on Salaries | —— | 2,500 | 0 | 0 | 119 | 9 | 10 |
| | 6*d.* Ditto on Pensions | 1811 | 9,900 | 0 | 0 | 765 | 0 | 0 |
| | 1*s.* Ditto on Salaries | —— | 12,500 | 0 | 0 | 1,993 | 0 | 0 |
| | 6*d.* Ditto on Pensions | 1812 | 1,000 | 0 | 0 | 5,600 | 0 | 0 |
| | 1*s.* Ditto on Salaries | —— | 2,000 | 0 | 0 | 11,800 | 0 | 0 |
| | 6*d.* Ditto on Pensions | 1813 | - | - | - | 1,200 | 0 | 0 |
| | 1*s.* Ditto on Salaries | —— | - | - | - | 2,000 | 0 | 0 |
| Surplus Duties Annually granted after discharging £.3,000,000 Exchequer Bills charged thereon. | Sugar and Malt | | 145,258 | 19 | 2 | 392,969 | 17 | 1½ |
| | Additional Ditto | | 672,016 | 0 | 0 | 692,359 | 0 | 0 |
| | Tobacco | | 103,519 | 13 | 4 | 170,109 | 13 | 3¼ |
| | Annual Malt | | 368,799 | 0 | 0 | 430,882 | 0 | 0 |
| | Land Tax on Offices, &c. | | 95,567 | 5 | 4½ | 60,918 | 1 | 1¼ |
| | 6*d.* per lib. on Pensions, &c. | | 1,380 | 12 | 2¼ | —— | | |
| | 1*s.* Ditto......Salaries | | 112 | 12 | 10¼ | —— | | |
| | | | 34,240,276 | 10 | 4½ | 35,566,134 | 12 | 9¾ |
| Duties Annually granted to discharge £.3,000,000 Exchequer Bills charged thereon. | Sugar and Malt | | 2,785,224 | 6 | 3 | 2,778,062 | 18 | 5¾ |
| | Additional Malts | | 139,106 | 0 | 0 | 211,437 | 0 | 0 |
| | Annual Ditto | | - | - | - | —— | | |
| | Tobacco | | 430,928 | 6 | 8 | 337,393 | 6 | 8¾ |
| | Land Tax on Offices, &c. | | 1,500 | 0 | 0 | —— | | |
| | | | 37,597,035 | 3 | 3½ | 38,893,027 | 18 | 0¾ |

# III.

# ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

## HEADS OF THESE ACCOUNTS.

Arrears due on the 5th of January 1814, from the Officers of the Customs in England, &c.

Arrears due on Ditto, from the Officers of the Customs in Scotland, &c.

Arrears due on Ditto, from the Officers of Excise in England, &c.

Arrears due on Ditto, from the Officers of Excise in Scotland, &c.

Arrears due on Ditto, from the Distributers of Stamps in Great Britain, &c.

Balances in the Hands of the Distributers of Stamps in Great Britain, &c.

Arrears due on the 5th of January 1814, from the Receivers General of the Land and Assessed Taxes in Great Britain, &c.

Arrears due on the 5th January 1814, from the Officers of the Post Office in Great Britain, &c.

Balances in the Hands of the Deputy Postmasters in Great Britain, &c.

Arrears and Balances due on the 5th January 1814, from the Persons employed in receiving or collecting the Land Revenue of the Crown in England and Wales, &c.

List of Public Accountants, in respect of whom the execution of any Process or Proceeding hath been Controlled, Suspended, or Prevented, &c.

Accounts delivered into the Office of the Comptrollers of the Accounts of the Army, &c.

List of Officers and Departments whose Accounts are audited by the Commissioners for Auditing the Public Accounts*.

List of Persons Accountable before the Commissioners for Auditing the Public Accounts, for Money Imprested on Account for Extraordinary Services*.

List of Accounts Delivered Over by the late Commissioners for Auditing Public Accounts to the Commissioners appointed for the like purpose under the 46th Geo. 3; and of the Accounts since received into the Audit Office, Somerset-Place, or since received into the Office of the said Commissioners, which have *neither* been *Audited*, *Stated*, or *Declared*;—completed to the 5th of January 1814.

List of the same which *have* been either *Stated* or *Declared*; so far as any *Balances* appear to be now owing *to*, or *from*, the Public upon any such Accounts;—completed to the 5th January 1814.

* These will be found at length in Volume XX. of this Work.

# IV.—TRADE AND NAVIGATION OF GREAT BRITAIN.

*Value of all* IMPORTS *into, and of all* EXPORTS *from,* GREAT BRITAIN, *for Three Years, ending the 5th of January,* 1814.

| | OFFICIAL VALUE of IMPORTS. | | OFFICIAL VALUE of EXPORTS. | |
|---|---|---|---|---|
| | From Europe, Africa, and America. | From East Indies and China. | British Produce and Manufactures. | Foreign Merchandize. |
| | £. | £. | £. | £. |
| Year ended 5th January 1812 | [illegible] | 4,106,251 | 24,131,734 | 8,277,937 |
| 1813 | [illegible] | [illegible] | 31,244,723 | 11,998,449 |
| * 1814 | — | — | — | — |

* Note.—The Account of the Value of the Imports into, and of the Exports from Great Britain, for the Year ending the 5th January 1814, cannot be submitted to Parliament, as required by the Act 42 Geo. 3, cap. 70, in consequence of the general destruction of the whole of the Books and Documents of the last Year, at the late Fire at the Custom House in London.

*Number of* VESSELS, *with the Amount of their* TONNAGE, *which have been annually Built and Registered in the several Ports of the* BRITISH *Empire (except Ireland) between 5th Jan.* 1811 *and 5th Jan.* 1814.

| | SHIPS. | TONS. |
|---|---|---|
| In the Year 1811 | 870 | 115,630 |
| 1812 | 760 | 94,198 |
| 1813* | — | — |

* Note.—The Account for 1812 was made up previous to the Copies of Registry being received from several Ports in the Plantations, and therefore many Vessels which were Built at such Ports, are not included in the above Account. The corrected Account, with that for the Year 1813, were consumed in the late Fire at the Custom House.

*Number of* VESSELS, *with the Amount of their* TONNAGE, *and the Number of* MEN *and* BOYS *usually employed in Navigating the same, which belonged to the several Ports of the* BRITISH *Empire, on the 30th Sept.* 1811, 1812, *and* 1813.

| | In 1811. | | | In 1812. | | | In 1813. | | |
|---|---|---|---|---|---|---|---|---|---|
| | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. |
| England | [illegible] | [illegible] | [illegible] | [illegible] | 1,951,234 | 124,896 | 16,602 | 2,029,637 | 127,740 |
| Scotland | [illegible] | [illegible] | [illegible] | [illegible] | [illegible] | 16,900 | 2,713 | 234,583 | 16,933 |
| Ireland | [illegible] | [illegible] | [illegible] | 1,111 | 57,104 | 5,320 | 1,146 | 60,226 | 5,516 |
| Plantations | [illegible] | [illegible] | [illegible] | 3,470 | 216,068 | 14,971 | 2,639 | 165,591 | 11,676 |
| Guernsey | [illegible] | [illegible] | [illegible] | 76 | 8,312 | 751 | 84 | 9.755 | 869 |
| Jersey | 59 | 6,003 | 547 | 54 | 5,369 | 519 | 64 | 6,379 | 708 |
| Isle of Man | [illegible] | [illegible] | [illegible] | 393 | [illegible] | 2,273 | 342 | 8,513 | 2,115 |
| Totals | [illegible] | [illegible] | [illegible] | 24,107 | 2,478,799 | 165,030 | 23,640 | 2,514,484 | 165,557 |

*Number of* VESSELS *which entered* INWARDS *and cleared* OUTWARDS, *at the several Ports of* GREAT BRITAIN, *from, or to, all Parts of the World, between 5th Jan.* 1811, *and 5th Jan.* 1814.

| | INWARDS. | | | | | | OUTWARDS. | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | BRITISH. | | | FOREIGN. | | | BRITISH. | | | FOREIGN. | | |
| | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. |
| *England.* | | | | | | | | | | | | |
| 1811 | [illegible] | [illegible] | [illegible] | 2,921 | [illegible] | [illegible] | 10,111 | 1,264,509 | 79,732 | 3,048 | 647 159 | 34,460 |
| 1812 | [illegible] | [illegible] | [illegible] | 2,246 | [illegible] | 22,829 | 11,177 | [illegible] | 85,473 | 2,335 | 490,206 | 24,949 |
| 1813 | *— | — | — | — | — | — | — | — | — | — | — | — |
| *Scotland.* | | | | | | | | | | | | |
| 1811 | 2,723 | 223,041 | [illegible] | 293 | 49,764 | 2,743 | 2,663 | 242,844 | 17,007 | 302 | 49,073 | 2,802 |
| 1812 | 3,113 | [illegible] | 18,102 | 230 | 48,747 | 2,690 | 3,151 | 278,968 | [illegible] | 311 | 50,696 | 2,892 |
| 1813 | [illegible] | [illegible] | [illegible] | 179 | 29,298 | 1,664 | 2,868 | 268,169 | 18,967 | 177 | 28,630 | 1,560 |

* Note—The Accounts for 1813 were consumed in the late Fire at the Custom House.

# V.—PUBLIC EXPENDITURE.

| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|
| I. For Interest, &c. on the Permanent Debt of Great Britain, Unredeemed; including Annuities for Lives and Terms of Years, (App. A.) | - | - | | - | - | | 39,815,846 | 6 | 11¾ |
| II. Interest on Exchequer Bills, (B)... | - | - | | - | - | | 2,081,529 | 10 | 6 |
| III. Civil List, (C) | - | - | | 1,028,000 | 0 | 0 | | | |
| IV. Other Charges on the Consolidated Fund. Courts of Justice | - | - | | 69,692 | 3 | 0 | | | |
| Mint | - | - | | 17,333 | 17 | 0 | | | |
| Allow. to R. Fam. | - | - | | 332,412 | 7 | 4¼ | | | |
| Sal. & Allowances | - | - | | 67,955 | 14 | 7½ | | | |
| Bounties | - | - | | 79,956 | 5 | 0 | | | |
| | | | | | | | 1,595,350 | 6 | 11¾ |
| V. Civil Government of Scotland, (D) | - | - | | - | - | | 113,176 | 4 | 8¼ |
| VI. The other Payments in Anticipation of the Exchequer Receipts; (E) viz. | | | | | | | | | |
| Bounties for Fisheries, Manufactures, Corn, &c. | - | - | | 228,741 | 18 | 7 | | | |
| Pensions on the Hereditary Revenue | - | - | | 27,700 | 0 | 0 | | | |
| Militia, and Deserters' Warrants... | - | - | | 134,614 | 3 | 4¾ | | | |
| | | | | | | | 391,056 | 1 | 11¾ |
| VII. The Navy, (F) | - | - | | 11,372,513 | 4 | 11 | | | |
| The Victualling Department | - | - | | 6,568,320 | 11 | 6½ | | | |
| The Transport Service | 3,565,790 | 12 | 11 | | | | | | |
| Miscellaneous Services | 490,000 | 0 | 0 | | | | | | |
| | | | | 4,055,790 | 12 | 11 | | | |
| | | | | | | | 21,996,624 | 9 | 4½ |
| VIII. Ordnance, (G) | - | - | | - | - | | 3,404,527 | 11 | 11 |
| IX. The Army, (H) viz. | | | | | | | | | |
| Ordinary Services | - | - | | 18,500,985 | 11 | 0 | | | |
| Extraordinary Services & Subsidies | - | - | | 22,262,951 | 0 | 0 | | | |
| | | | | 40,763,936 | 11 | 0 | | | |
| Deduct the Amount of Remittances and Advances to other Countries, included in Appendix I. | - | - | | 11,294,416 | 0 | 9 | | | |
| | | | | | | | 29,469,520 | 10 | 3 |
| X. Loans, &c. to other Countries, (I) | | | | | | | | | |
| Ireland | - | - | | 4,700,416 | 13 | 4 | | | |
| Sicily | 600,000 | 0 | 0 | | | | | | |
| Portugal | 2,000,000 | 0 | 0 | | | | | | |
| Spain | 1,679,136 | 2 | 10 | | | | | | |
| Sweden | 1,536,804 | 8 | 0 | | | | | | |
| Russia | 1,758,436 | 4 | 2 | | | | | | |
| Prussia | 1,757,669 | 17 | 0 | | | | | | |
| Austria | 545,612 | 17 | 0 | | | | | | |
| Hanover | 15,166 | 14 | 4 | | | | | | |
| Holland | 419,996 | 0 | 2 | | | | | | |
| North of Europe | 967,174 | 16 | 7 | | | | | | |
| Emperor of Morocco, &c. | 14,419 | 0 | 8 | | | | | | |
| | | | | 11,294,416 | 0 | 9 | | | |
| | | | | | | | 15,994,832 | 14 | 1 |
| XI. Miscellaneous Services, (K) | | | | | | | | | |
| At Home | 3,507,934 | 4 | 10 | | | | | | |
| Abroad | 497,890 | 13 | 6½ | | | | | | |
| | | | | 4,005,824 | 18 | 4½ | | | |
| Principal, Interest, &c. of Commercial Exchequer Bills | - | - | | 4,525 | 0 | 0 | | | |
| | | | | | | | 4,010,349 | 18 | 4½ |
| | | | | | | | 118,872,813 | 15 | 1½ |
| Deduct Sums, which, although included in this Account, form no part of the Expenditure of Great Britain; viz. | | | | | | | | | |
| Loan, &c. for Ireland | | | | 4,700,416 | 13 | 4 | | | |
| Interest, £. 1. per Cent. and Management on Portuguese Loan, per Act 49 Geo. 3, c. 71 | | | | 57,170 | 3 | 0 | | | |
| Principal, Interest, &c. of Commercial Exchequer Bills | | | | 4,525 | 0 | 0 | | | |
| Sinking Fund on Loan to the East India Company | | | | 142,091 | 1 | 11 | | | |
| | | | | | | | 4,904,202 | 18 | 3 |
| | | | | | | | *113,968,610 | 16 | 10½ |

* This includes the Sum of £.417,721 16 0¼ for Interest, &c. paid on Imperial Loans.

PPENDIX (A. 1.)—*Monies paid in the Year ended 5th Jan.* 1814, *towards satisfying the Charges of the* PUBLIC DEBT *of Great Britain, Ireland, Imperial and Portuguese Loans.*

| | Interest. | | | Annuities for Lives and for Terms of Years. | | | Charges of Management. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| 'ermanent Funded Debt of Great Britain | 20,358,805 | 6 | 4 | 1,208,608 | 3 | 0¾ | 216,128 | 6 | 4 |
| ........................Debentures ............ | 19,982 | 10 | 0 | — | | | — | | |
| .oans raised for the Service of Ireland ... | 1,922,439 | 15 | 10 | 111,032 | 6 | 4 | 18,429 | 12 | 1 |
| mperial Loans ................................ | 183,696 | 5 | 0 | 230,000 | 0 | 0 | 4,025 | 11 | 0¼ |
| 'ortuguese Loans ... ........................ | 21,101 | 9 | 6 | - | | - | 244 | 8 | 1¾ |
| | 22,506,025 | 6 | 8 | 1,549,640 | 9 | 4¾ | 238,827 | 17 | 7 |
| Interest ................................ | 22,506,025 | 6 | 8 | | | | | | |
| Life Annuities, &c.................... | 1,549,640 | 9 | 4¾ | | | | | | |
| Management ........................ | 238,827 | 17 | 7 | | | | | | |
| | 24,294,493 | 13 | 7¾ | | | | | | |
| 'owards the Redemption of the Public Debt; viz. | | | | | | | | | |
| .nnual Issues, per Act 26 Geo. 3......... | 1,000,000 | 0 | 0 | | | | | | |
| )itto ....................... 42 Ditto ......... | 200,000 | 0 | 0 | | | | | | |
| .nnuities for Terms of Years expired prior to July 1802 ........................ | 79,880 | 14 | 6 | | | | | | |
| )itto on Lives on which the Nominees died prior to 5th July 1802, or unclaimed for 3 Years.......................... | 51,276 | 8 | 1 | | | | | | |
| nterest on Debt of Great Britain redeemed ......... .......................... | 6,630,641 | 14 | 6 | | | | | | |
| )itto for Ireland .............................. | 332,787 | 19 | 0 | | | | | | |
| )itto for Imperial ............................ | 41,382 | 15 | 0 | | | | | | |
| )itto for Portugal .......................... | 5,764 | 3 | 11 | | | | | | |
| £.1 per Cent. on part of Capitals created since 5th Jan. 1793 ...................... | 4,776,114 | 6 | 0 | | | | | | |
| £.1 per Cent. on £.26,000,000, outstanding Exchequer Bills .............. | 195,000 | 0 | 0 | | | | | | |
| 'art of the Annual Appropriation for the Redemption of £.12,000,000, part of £.14,200,000, pro Anno 1807 ...... | 626,255 | 10 | 5 | | | | | | |
| £.1 per Cent. on part of Capitals created by Loans raised for the Service of Ireland ............................................ | 723,738 | 15 | 1 | | | | | | |
| )itto of his Imperial Majesty ............ | 56,693 | 0 | 0 | | | | | | |
| )itto of Portugal ............................. | 30,000 | 0 | 0 | | | | | | |
| nterest on Stock transferred for Life Annuities ........................................ | 62,245 | 10 | 2 | | | | | | |
| )ne half of the Interest on £.3,811,082 10*s.* 9½*d.* ........................................ | 19,055 | 8 | 3 | | | | | | |
| )itto £.23,100,000........................ | 86,625 | 0 | 0 | | | | | | |
| )itto £.12,600,000.............. .......... | 47,250 | 0 | 0 | | | | | | |
| £.1 per Cent. on Stock created by Loans 38, 39, 39 and 40, and 42 Geo. 3...... | 433,981 | 10 | 0 | | | | | | |
| | 15,378,692 | 14 | 11 | | | | | | |
| From above...... | 24,294,493 | 13 | 7¾ | | | | | | |
| | 39,673,186 | 8 | 6¾ | | | | | | |

*Note* 1.—The gross Amount received and applied towards the Redemption of the Public Funded Debt is as follows:

| | £. | s. | d. |
|---|---|---|---|
| *Money* paid out of the Receipt of the Exchequer as herein stated ........................ | 15,378,692 | 14 | 11 |
| *Add*—Returned from Account of Life Annuities, the Nominees having died prior to its being set apart for Payment ........................................ | 568 | 16 | 6 |
| *Add also*—The Sum applied towards the Redemption of the Debt created in respect of £.2,500,000 borrowed for the East India Company in 1812, the Amount paid by the Company to the Bank in pursuance of the Act 51 Geo. 3, Cap. 135.................. | 142,091 | 1 | 11 |
| Total, as in Appendix A. 2... .........£. | 15,521,352 | 13 | 4 |

*Note* 2.—Total Expenditure on Account of Interest and Charges of Management as within stated ........................ 24,294,493 13 7¾
Ditto Reduction of National Debt ........................ 15,521,352 13 4
Appendix A. 1, 2 .......................£ 39,815,846 6 11¾

## APPENDIX (A. 2)—*Total Amount of the Sums actually received by the* COMMISSIONER *for the Reduction of the* NATIONAL DEBT, *in the Year ended 5th Jan.* 1814.

| *GREAT BRITAIN.* | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| Annual Issue | 1,000,000 | 0 | 0 | | | |
| Ditto additional ditto | 200,000 | 0 | 0 | | | |
| Exchequer Annuities for 99 and 96 Years expired anno 1792 | 54,880 | 14 | 6 | | | |
| Short Annuities 1777, expired 1787 | 25,000 | 0 | 0 | | | |
| Annuities on Lives expired prior to 5 July 1802 | 21,141 | 6 | 1 | | | |
| Annuities on Lives unclaimed for 3 Years before 5 Jan. 1813 | 30,135 | 2 | 0 | | | |
| Nine Months Issue of £.1 per Cent. per Ann. on £.26,000,000 outstanding Exchequer Bills, at 5 Jan. 1813 | 195,000 | 0 | 0 | | | |
| £.1 per Cent. per Ann. on Capitals created by Loans raised from 1793 to 1812, both inclusive | 5,171,547 | 13 | 6 | | | |
| Three Months appropriation on Loan 1813 | 191,478 | 10 | 3 | | | |
| Interest on Capitals purchased by the Commrs. at £.3 per Cent. | 6,112,148 | 8 | 3 | | | |
| Ditto £.4 per Cent. | 311,856 | 0 | 0 | | | |
| Ditto £.5 per Cent. | 7,100 | 0 | 0 | | | |
| Ditto on Capitals transferred for Life Annuities at £.3 per Cent. | 62,245 | 10 | 2 | | | |
| Returned from the Account of Life Annuities | 568 | 16 | 6 | | | |
| | | | | 13,383,102 | 1 | 3 |
| Annual Appropriation towards the Redemption of part of Loan 1807 | 626,255 | 10 | 5 | 825,792 | 16 | 8 |
| Interest on Capital purchased at £.3 per Cent. | 199,537 | 6 | 3 | | | |
| | | | | 14,208,894 | 17 | 11 |
| Deduct set apart from the Sinking Fund for payment of Life Anns. | - | - | | 141,728 | 11 | 6 |
| *IRELAND.* | | | | 14,067,166 | 6 | 5 |
| £.1 per Cent. on Capitals created by Loans from 1797 to 1813 | 723,738 | 15 | 5 | | | |
| Interest on Capital purchased at £.3 per Cent. | 332,787 | 19 | 0 | | | |
| | | | | 1,056,526 | 14 | 5 |
| *IMPERIAL.* | | | | | | |
| £.1 per Cent. per Ann. on Capital created by Loan 1797 | 36,693 | 0 | 0 | | | |
| Interest on Capital purchased at £.3 per Cent. | 41,382 | 15 | 0 | | | |
| | | | | 78,075 | 15 | 0 |
| *PORTUGAL.* | | | | | | |
| Towards the Redemption of Capital created by Loan 1809 | 30,000 | 0 | 0 | | | |
| Interest on Capital purchased at £.3 per Cent. | 5,764 | 3 | 11 | | | |
| | | | | 35,764 | 3 | 11 |
| *EAST INDIA COMPANY.* | | | | | | |
| 5 Quarters of Appropriation towards the Redemption of Capital, created by Loan 1812 | 138,525 | 0 | 0 | | | |
| Interest on Capital purchased at £.3 per Cent. | 3,566 | 1 | 11 | | | |
| | | | | 142,091 | 1 | 11 |
| Applied to the purchase of Stock | - | - | | 15,379,624 | 1 | 8 |
| Ditto to the payment of Life Annuities | - | - | | 141,728 | 11 | 6 |
| Gross Amount | | | | 15,521,352 | 13 | 2 |

## APPENDIX (B.)—*Interest paid on* EXCHEQUER BILLS, *from the 5th of Jan.* 1813 *to the 5th Jan.* 1814.

| Acts under which issued. | Funds chargeable with the Principal. | Interest. £. | s. | d. |
|---|---|---|---|---|
| 48 Geo. III. cap. 53. | To be paid off six months after Peace | 90,000 | 0 | 0 |
| 51 Ditto cap. 85. | Supplies, 1811 | 56,095 | 11 | 9 |
| 51 Ditto cap. 54. | Ditto 1812, £.1,500,000 | 63,032 | 10 | 3 |
| 52 Ditto cap. 1. | Malt and Personal Estates, 1812 | 5,254 | 3 | 8 |
| 52 Ditto cap. 4. | Supplies, 1813, £.10,500,000 | 570,285 | 5 | 1 |
| 52 Ditto cap. 5. | Ditto 1813, £.1,500,000 | 83,226 | 4 | 2 |
| 52 Ditto cap. 86. | Ditto 1813, £.5,000,000 | 240,075 | 3 | 7 |
| 52 Ditto cap. 114. | Ditto 1812 | 641,848 | 16 | 5 |
| 52 Ditto cap. 164. | Ditto 1813, £.3,000,000 | 117,293 | 4 | 10 |
| 53 Ditto cap. 15. | Malt and Personal Estates, 1813, £.3,000,000 | 81,477 | 6 | 10 |
| 53 Ditto cap. 16. | Supplies, 1814, £.10,500,000 | 84,638 | 9 | 8 |
| 53 Ditto cap. 42. | Ditto 1813 | 48,302 | 14 | 3 |
| | | £.2,081,529 | 10 | 6 |

APPENDIX (C.)—*Charge upon the* CONSOLIDATED FUND, *in the Year ended the 5th Jan.* 1814; *exclusive of the Interest of the* PUBLIC DEBT, *and of the Payments upon* EXCHEQUER BILLS:—*Distinguishing the same under the several Heads of Civil List—Courts of Justice, &c.—Mint—other Salaries and Allowances—and Bounties, &c.*

### *CIVIL LIST.*

| | £. | s. | d. |
|---|---|---|---|
| FOR THE SUPPORT OF HIS MAJESTY'S HOUSEHOLD, per Act 17 Geo. 3. | 898,000 | 0 | 0 |
| Ditto - 44 Ditto | 60,000 | 0 | 0 |
| Ditto - 52 Ditto | 70,000 | 0 | 0 |
| | 1,028,000 | 0 | 0 |
| COURTS OF JUSTICE, (See page xi.) | 69,692 | 3 | 0 |
| MINT, (See page xii.) | 17,333 | 17 | 0 |
| SALARIES, ALLOWANCES, &c. (See page xiii.) | 12,833 | 13 | 4 |
| COMMISSIONERS OF PUBLIC ACCOUNTS, (See page xiii.) | 45,465 | 14 | 4½ |
| COMMISSIONERS OF WEST INDIA ACCOUNTS, (See page xiii.) | 9,656 | 6 | 11 |

### *MISCELLANEOUS.*

| | £. | s. | d. |
|---|---|---|---|
| Compensations for Losses under the London Dock Act | 5,128 | 2 | 6 |
| Salaries, &c. in the Office of the Commissioners under the said Act | 1,000 | 0 | 0 |
| Marquess of Wellington, Interest on £.100,000 from 5th to 23d Jan. 1813 | 250 | 0 | 0 |
| John Palmer, Esq. in full Satisfaction and Discharge for his Services in the accommodation afforded to the Public, and the benefit derived to the Post Office Revenue | 50,000 | 0 | 0 |
| Jeremy Bentham, Esq, in discharge of the Sum awarded by the Arbitrators appointed per Act 52 Geo. 3, for the Erection of a Penitentiary House, &c. as a full Compensation to him in respect of all matters and things which have been referred to them by virtue of the said Act | 23,578 | 2 | 6 |
| Total | £.79,956 | 5 | 0 |

### *PENSIONS.*

| | | £. | s. | d. |
|---|---|---|---|---|
| Representatives of Arthur Onslow, Esq. per Act | 2 Geo. 3. | 3,000 | 0 | 0 |
| Earl of Chatham | 18 | 4,000 | 0 | 0 |
| Lord Rodney | 23 | 2,000 | 0 | 0 |
| Lady Dorchester | 26 | 1,000 | 0 | 0 |
| John Penn, Esq. | 30 | 3,000 | 0 | 0 |
| R. Penn, Esq. per Act | 30 G. 3. | 1,000 | 0 | 0 |
| Duke of Clarence | 31 | 12,000 | 0 | 0 |
| ……… York | 32 | 14,000 | 0 | 0 |
| Duchess of York | — | 4,000 | 0 | 0 |
| Prince of Wales | 35 | 65,000 | 0 | 0 |
| Earl St. Vincent | 38 | 2,000 | 0 | 0 |
| Viscount Duncan | — | 2,000 | 0 | 0 |
| Duke of Kent | 39 | 12,000 | 0 | 0 |
| ……… Cumberland | — | 12,000 | 0 | 0 |
| Duke of Richmond | — | 6,333 | 6 | 8 |
| Sir Beaut. Hotham, knt. | — | 2,000 | 0 | 0 |
| Lord Erskine | — | 4,000 | 0 | 0 |
| Sir S. Lawrence, knt. | — | 2,000 | 0 | 0 |
| Sir Nash Grose, knt. | — | 1,104 | 7 | 10¾ |
| Sir Sydney Smith, knt. | 41 | 1,000 | 0 | 0 |
| Baroness Abercrombie | — | 2,000 | 0 | 0 |
| Duke of Sussex | 42 | 12,000 | 0 | 0 |
| ……… Cambridge | — | 12,000 | 0 | 0 |
| Lord Hutchinson | — | 2,000 | 0 | 0 |
| Sir J. Saumarez, K. B. | 43 | 1,200 | 0 | 0 |
| Duke of Portland, et al. for the House of Orange | — | 16,000 | 0 | 0 |
| Lord Boringdon, et al. for Lord Amherst | — | 3,000 | 0 | 0 |
| Duke of Atholl | 45 | 3,035 | 2 | 1¼ |
| Lady Nelson | 46 | 2,000 | 0 | 0 |
| Sir R. Strachan, K. B. | — | 1,000 | 0 | 0 |
| Lady Collingwood | — | 1,000 | 0 | 0 |
| Hon. Sarah Collingwood | — | 500 | 0 | 0 |
| Hon. M. P. Collingwood | — | 500 | 0 | 0 |
| Sir J. T. Duckworth, K. B. | — | 1,000 | 0 | 0 |
| Duke of Clarence | — | 6,000 | 0 | 0 |
| ……… Kent | — | 6,000 | 0 | 0 |
| ……… Cumberland | — | 6,000 | 0 | 0 |
| ……… Sussex | — | 6,000 | 0 | 0 |
| ……… Cambridge | — | 6,000 | 0 | 0 |
| Prs. Charlotte of Wales | — | 7,000 | 0 | 0 |
| Duke of Gloucester | — | 14,000 | 0 | 0 |
| Prs. Sophia of Gloucester | — | 7,000 | 0 | 0 |
| Earl Nelson | — | 5,000 | 0 | 0 |
| Duke of Grafton | — | 4,580 | 0 | 0 |
| Lord Rodney | — | 923 | 1 | 6 |
| Sir John Stuart | 47 | 1,000 | 0 | 0 |
| Viscount Lake | 48 | 2,000 | 0 | 0 |
| Earl of Wellington | 50 | 2,000 | 0 | 0 |
| Duke of Brunswick | — | 7,000 | 0 | 0 |
| Hon. Jane Perceval | 52 | 2,000 | 0 | 0 |
| Trustees for the Male Heir of the late Right Hon. Spencer Perceval | — | 113 | 17 | 9¼ |
| Princess Elizabeth | — | 9,000 | 0 | 0 |
| Prs. Augusta Sophia | — | 9,000 | 0 | 0 |
| Prs. Mary | — | 9,000 | 0 | 0 |
| Prs. Sophia | — | 9,000 | 0 | 0 |
| Sir S. Lawrence, knt. | 53 | 276 | 16 | 0¼ |
| Sir Nash Grose, knt. | — | 276 | 16 | 0¾ |
| Sir Arch. Macdonald, bt. | 53 & 39 | 568 | 19 | 3½ |
| Earl of Wellington | 50 | 2,000 | 0 | 0 |
| Total | | £.332,412 | 7 | 4½ |
| General Total | | £.1,595,350 | 6 | 11¾ |

APPENDIX (D.)—*A List of all such Sum and Sums of Money as have been incurred, anc become due upon His Majesty's Establishment for* Civil Affairs *within* Scotland, *bearing Date the* 19*th Day of June* 1761; *for one Year, from* 5*th Jan.* 1813 *inclusive, tc* 5*th Jan.* 1814, *exclusive* .............................. *Total Amount* £.113,176 4 $8\frac{5}{12}$

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APPENDIX (E. 1, *and* 3.)—*Amount of* Bounties *paid in England and Scotland ou of the Revenues of Customs and Excise, between the* 5*th Jan.* 1813 *and the* 5*th Jan.* 1814; *being Payments in the nature of Anticipations of Exchequer Issues.*

| | ENGLAND. | | | SCOTLAND. | | | TOTAL. | | |
|---|---|---|---|---|---|---|---|---|---|
| CUSTOMS. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Year ending 5th January 1814 .......................... | 127,962 | 10 | 7¾ | 67,187 | 1 | 6 | 195,149 | 12 | 1¾ |
| The same out of the EXCISE.............................. | - | - | | 13,595 | 11 | 11 | 13,595 | 11 | 11 |
| | 127,962 | 10 | 7¾ | 80,782 | 13 | 5 | 208,745 | 4 | 0¾ |

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APPENDIX (E. 2.)—Excise.—*An Account of the Monies paid out of the Receipt o the Excise in England, in the Year ended 5th Jan.* 1814.

| | £. | s. | d. |
|---|---|---|---|
| PENSIONS, viz. 6th Head | | | |
| Duke of Grafton .......................................... | 9,000 | 0 | 0 |
| Earl Cowper ................................................ | 2,000 | 0 | 0 |
| Charles Boone, Moiety of the Earl of Bath's ... | 1,500 | 0 | 0 |
| Lord Melbourne .......................................... | 1,500 | 0 | 0 |
| BOUNTIES. | 14,000 | 0 | 0 |
| On Salted Provisions exported, White Herrings taken, and Tonnage in the White Herring Fishery .......................................... | 19,996 | 14 | 6¼ |
| | £.33,996 | 14 | 6¼ |

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APPENDIX (E. 4.)—*Pensions paid by Parliamentary* Grants, *out of the* Post Office *Revenues, in the Year ended 5th Jan.* 1814.

| | |
|---|---|
| His Grace the Duke of Marlborough .................... | £.5,000 |
| His Grace the Duke of Grafton .......................... | 4,700 |
| The Heirs of the late Duke of Schomberg ....... ... | 4,000 |
| | £.13,700 |

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APPENDIX (E. 5.)—*Sums advanced by the Receivers General of Land and Assessed Taxes, on Account of* Militia *and* Deserters Warrants, *and other Disbursements under various Acts of Parliament; in the Year ended 5th Jan.* 1814.

| | ENGLAND & WALES. | | | SCOTLAND. | | | TOTAL. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d | £. | s. | d. |
| Militia and Deserters' Warrants ........................ | 78,367 | 5 | 6 | 16,850 | 11 | 5¾ | 95,217 | 16 | 11¾ |
| Volunteers .................................................. | 15,208 | 8 | 2 | 1,309 | 5 | 4 | 16,517 | 13 | 6 |
| Defence Acts ................................................ | 1,646 | 3 | 0 | - | - | | 1,646 | 3 | 0 |
| Army of Reserve............................................ | 5,947 | 16 | 2½ | 2,190 | 16 | 3 | 8,138 | 12 | 5½ |
| Population Act.............................................. | - | - | | 520 | 19 | 6½ | 520 | 19 | 6½ |
| Augmentation of Stipends to Scotch Clergy (50th Geo. 3, cap. 84.)........................................ | - | - | | 12,572 | 17 | 11 | 12 572 | 17 | 11 |
| | 101,169 | 12 | 10½ | 33,444 | 10 | 6¼ | 134,614 | 3 | 4¾ |

## APPENDIX (F.)—NAVY OFFICE—*Monies received from the Exchequer for* NAVAL SERVICES, *between the 5th Jan.* 1813, *and the 5th Jan.* 1814.

| HEADS OF SERVICE. | SUM. £. | s. | d. | TOTAL. £. | s. | d. |
|---|---|---|---|---|---|---|
| ***NAVY.*** | | | | | | |
| WAGES. | | | | | | |
| Wages to Officers and Seamen | 2,678,000 | 0 | 0 | | | |
| Half pay to Sea Officers, and Bounty to Chaplains | 362,000 | 0 | 0 | | | |
| Wages to his Majesty's Dock and Rope Yards | 1,360,000 | 0 | 0 | | | |
| GENERAL SERVICES, viz. | | | | | | |
| Bills of Exchange, Imprests, Salaries, Pensions, Marines, &c. | 1,522,134 | 14 | 0 | | | |
| Building of Ships, purchase of Stores of every description, repairing Ships, purchase of Ships taken from the Enemy, Head Money, &c. paid in Bills at ninety days date | 5,450,378 | 10 | 11 | | | |
| | | | | 11,372,513 | 4 | 11 |
| ***VICTUALLING.*** | | | | | | |
| Provisions and all Sorts of Victualling Stores, paid for in Bills at ninety days date | 5,210,250 | 8 | 11 | | | |
| Widows Pensions | 44,070 | 2 | 7½ | | | |
| Bills of Exchange and Imprests | 1,043,000 | 0 | 0 | | | |
| General Services, viz. Necessary and Extra Necessary Money and Contingencies | 271,000 | 0 | 0 | | | |
| | | | | 6,568,320 | 11 | 6½ |
| ***TRANSPORTS.*** | | | | | | |
| Freight of Transports, Maintenance of Prisoners of War, and Expence of sick and wounded Seamen, paid for in Bills at ninety days date | 3,565,790 | 12 | 11 | | | |
| Bills of Exchange, and all Services paid for in ready Money | 490,000 | 0 | 0 | | | |
| | | | | 4,055,790 | 12 | 11 |
| | | | £ | 21,996,624 | 9 | 4½ |

## APPENDIX (G.)—*Monies paid by the Office of* ORDNANCE *in the Year* 1813, *for Services at Home and Abroad.*

| | £. | s. | d. |
|---|---|---|---|
| For Services at Home | 4,350,275 | 4 | 10 |
| For Services Abroad | 1,017,833 | 7 | 8 |
| | *5,368,108 | 12 | 6 |
| | 1,963,581 | 0 | 7 |
| | £.3,404,527 | 11 | 11 |

* The Sum of £.1,963,581 0*s.* 7*d.* being the value of Stores supplied by the Board of Ordnance to Foreign Powers, the Expence of which it is usual to reimburse to the Ordnance Department by the Paymaster General under Warrants of the Treasury, should be deducted from this Account, the same being also included in Appendix H. and I., leaving the Expenditure of the Ordnance Department £.3,404,527 11*s.* 11*d.*

## APPENDIX (H.)—*Monies paid by the Right Honourable the Paymaster General of his Majesty's* FORCES, *from the 25th Dec.* 1812, *to 24th Dec.* 1813.

| | | | | £. | s. | d. |
|---|---|---|---|---|---|---|
| Pay and Allowances of the Forces at Home (including Foreign Corps and Militia) Captains' Allowances, Clothing, Recruiting and Regimental Contingencies | | | | 5,934,359 | 5 | 3 |
| Staff and Garrisons | | | | 223,081 | 10 | 7 |
| Public Offices (including Superannuation Allowances) | | | | 155,896 | 12 | 4 |
| Bills drawn by Deputy Paymasters abroad, on account of the above Services | | | | 2,667,360 | 7 | 2 |
| Clothing for Veteran Battalions | | | | 20,286 | 14 | 4 |
| Pay, &c. of Recruiting Troops of Regiments serving in India | | | | 30,236 | 10 | 10 |
| Local Militia | | | | 627,000 | 0 | 0 |
| Volunteer Corps | | | | 155,302 | 6 | 8 |
| Pay of Supernumerary Officers | | | | 26,581 | 13 | 8 |
| Exchequer Fees | | | | 187,324 | 6 | 3 |
| Half Pay and Military Allowances | | | | 178,594 | 14 | 1 |
| In and Out Pensioners of Chelsea Hospital | | | | 479,421 | 2 | 7 |
| Widows Pensions | | | | 53,670 | 7 | 4 |
| Royal Bounty | | | | 11,671 | 7 | 9 |
| Compassionate List | | | | 17,928 | 0 | 0 |
| Retired Officers | | | | 3,885 | 19 | 10 |
| Allowance to retired Chaplains | | | | 10,208 | 2 | 9 |
| Medicines and Hospital Expences | | | | 123,717 | 12 | 1 |
| Barrack Department | 330,026 | 0 | 0 | | | |
| Ditto - - excess beyond the Vote (to be included in the Account of Extraordinaries) | 12,754 | 0 | 0 | | | |
| | | | | 342,780 | 0 | 0 |
| Commissariat Department | 2,256,223 | 1 | 8 | | | |
| Ditto - - excess beyond the Vote (to be included in the Account of Extraordinaries) | 2,372,776 | 18 | 4 | | | |
| | | | | 4,629,000 | 0 | 0 |
| Ditto - - for the purchase of Specie to be remitted abroad (to be included in Ditto) | | | | 2,246,160 | 12 | 0 |
| Storekeeper General | 131,900 | 0 | 0 | | | |
| Ditto - - excess beyond the Vote (to be included in the Account of Extraordinaries | 6,200 | 0 | 0 | | | |
| | | | | 138,100 | 0 | 0 |
| Bât, Baggage, &c. | | | | 25,911 | 3 | 0 |
| Contingencies | | | | 208,606 | 6 | 11 |
| Miscellaneous Payments | | | | 3,900 | 15 | 7 |
| Extraordinaries | | | | 18,662,951 | 0 | 0 |
| Portuguese Subsidy | | | | 2,000,000 | 0 | 0 |
| Sicilian Ditto | | | | 400,000 | 0 | 0 |
| Swedish Ditto | | | | 1,000,000 | 0 | 0 |
| Relief to the Inhabitants of Russia | | | | 200,000 | 0 | 0 |
| | | | | 40,763,936 | 11 | 0 |

The Sum of £.6,388,000 has also been paid by the Paymaster General, in discharge of Bills of Exchange drawn by the Treasury of Ireland, on account of the Irish Loan.

The Sum paid for Extraordinaries, includes advances of Specie made on various Stations abroad by the Commissariat Department for Pay of the Forces; and also Provisions issued to the said Forces, for which credit will be given at the foot of the Account of Extraordinaries for 1813.

Note.—The Sum of £.11,294,416 0*s.* 9*d.* being the Amount of Remittances and Advances to other Countries, should be deducted from this Account, the same being included in this Account, as well as in Account Appendix I.—The Expenditure of the Army will then be £.29,469,520 10*s.* 3*d.*

APPENDIX (I.)—*An Account of the several* PAYMENTS *made in the Year ended the 5th Jan.* 1814, *in respect of* LOANS, REMITTANCES, *and* ADVANCES, *to Ireland and other Countries.*

| | | | | £. | s. | d. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| IRELAND. | | | | | | | | | | | | |
| On Account of Loan 52 Geo. 3, cap. 85 | | | | - | | - | 2,278,000 | 0 | 0 | | | |
| Ditto - 53 ... Ditto ... 69 | | | | - | | - | 2,300,000 | 0 | 0 | | | |
| Lotteries - 52 ... Ditto ... 125 | | | | - | | - | 122,416 | 13 | 4 | | | |
| | | | | | | | | | | 4,700,416 | 13 | 4 |
| AUSTRIA. | | | | | | | | | | | | |
| By Bills drawn upon the Treasury | | | | 500,000 | 0 | 0 | | | | | | |
| By Value of Clothing, &c. furnished by the Commissary in Chief | | | | 45,612 | 17 | 0 | | | | | | |
| | | | | | | | 545,612 | 17 | 0 | | | |
| HANOVER. | | | | | | | | | | | | |
| Value of Clothing, &c. furnished by the Commissary in Chief | | | | - | | - | 15,166 | 14 | 4 | | | |
| HOLLAND. | | | | | | | | | | | | |
| By Advances made from the Treasury | | | | 200,000 | 0 | 0 | | | | | | |
| Value of Clothing, &c. furnished by the Commissary in Chief | | | | 57,660 | 9 | 0 | | | | | | |
| Value of Arms, &c. furnished by the Ordnance Department | | | | 162,335 | 11 | 2 | | | | | | |
| | | | | | | | 419,996 | 0 | 2 | | | |
| PORTUGAL. | | | | | | | | | | | | |
| By Advances made in Portugal out of Bills drawn upon the Treasury | | | | 1,644,062 | 17 | 2 | | | | | | |
| Value of Clothing, &c. furnished by the Commissary in Chief | | | | 220,035 | 7 | 8 | | | | | | |
| Value of Arms, &c. furnished by the Ordnance Department | | | | 135,901 | 15 | 2 | | | | | | |
| | | | | | | | 2,000,000 | 0 | 0 | | | |
| PRUSSIA. | | | | | | | | | | | | |
| On Account of a Subsidy of £.666,666 13*s.* 4*d.*:— | | | | | | | | | | | | |
| By Bills drawn on the Treasury | 283,373 | 3 | 4 | | | | | | | | | |
| By Remittance of Specie | 150,000 | 0 | 0 | | | | | | | | | |
| By Advances from the Treasury | 216,666 | 13 | 4 | | | | | | | | | |
| | | | | 650,039 | 16 | 8 | | | | | | |
| Value of Clothing, &c. furnished by the Commissary in Chief | | | | 523,382 | 12 | 0 | | | | | | |
| Value of Provisions, &c. furnished by the Commissioners of Victualling | | | | 177,606 | 6 | 5 | | | | | | |
| Value of Arms, &c. furnished by the Ordnance Department | | | | 406,641 | 1 | 11 | | | | | | |
| | | | | | | | 1,757,669 | 17 | 0 | | | |
| RUSSIA. | | | | | | | | | | | | |
| On Account of a Subsidy of £.1,333,333 6*s.* 8*d.*:— | | | | | | | | | | | | |
| By Bills drawn on the Treasury | 7,500 | 0 | 0 | | | | | | | | | |
| By Remittance of Specie | 150,000 | 0 | 0 | | | | | | | | | |
| By Advances from the Treasury | 500,000 | 0 | 0 | | | | | | | | | |
| | | | | 657,500 | 0 | 0 | | | | | | |
| Towards the necessary Expences of the Russian Fleet in this Country | | | | 500,000 | 0 | 0 | | | | | | |
| The amount granted by Parliament in the Year 1813, for the Relief of the Sufferers during the Campaign in that Country | | | | 200,000 | 0 | 0 | | | | | | |
| Value of Arms, &c. furnished by the Ordnance Department | | | | 400,936 | 4 | 2 | | | | | | |
| | | | | | | | 1,758,436 | 4 | 2 | | | |

| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|
| SICILY. | | | | | | | | | |
| To complete the Subsidy granted anno 1812 | 200,000 | 0 | 0 | | | | | | |
| Ditto - - - - - - 1813 | 400,000 | 0 | 0 | | | | | | |
| | | | | 600,000 | 0 | 0 | | | |
| SPAIN. | | | | | | | | | |
| Out of Proceeds of Bills drawn upon the Treasury - - - - - - | 1,000,000 | 0 | 0 | | | | | | |
| Value of Clothing furnished by the Commissary in Chief - - - - | 576,267 | 15 | 10 | | | | | | |
| Value of Provisions furnished by the Commissioners of Victualling - - - | 27,973 | 9 | 4 | | | | | | |
| Value of Arms and Stores furnished by the Board of Ordnance - - - - | 74,894 | 17 | 8 | | | | | | |
| | | | | 1,679,136 | 2 | 10 | | | |
| SWEDEN. | | | | | | | | | |
| On Account of a Subsidy of £.1,000,000 and an advance of £.20,000:— | | | | | | | | | |
| By Bills drawn upon the Treasury - - - 220,000 0 0 | | | | | | | | | |
| By Advances from the Treasury - - - 800,000 0 0 | | | | | | | | | |
| | 1,020,000 | 0 | 0 | | | | | | |
| On Account of a Subsidy of £.1,200,000 by Monthly Payments, from Oct. 1813 | | | | | | | | | |
| By Advances from the Treasury - - | 300,000 | 0 | 0 | | | | | | |
| Value of Specie, Clothing, &c. furnished by the Commissary in Chief - - - - | 146,139 | 12 | 0 | | | | | | |
| Value of Arms, &c. furnished by the Ordnance Department - - - - - | 70,664 | 16 | 0 | | | | | | |
| | | | | 1,536,804 | 8 | 0 | | | |
| NORTH OF EUROPE. | | | | | | | | | |
| Value of Clothing, &c. furnished by the Commissary in Chief for the General Service of the Allied Powers - - - | 269,387 | 2 | 9 | | | | | | |
| Value of Arms, &c. furnished by the Board of Ordnance - - - - - - | 697,787 | 13 | 10 | | | | | | |
| | | | | 967,174 | 16 | 7 | | | |
| EMPEROR OF MOROCCO, &c. | | | | | | | | | |
| Value of Arms, &c. furnished by the Board of Ordnance - - - - - | - | | - | 14,419 | 0 | 8 | | | |
| | | | | | | | 11,294,416 | 0 | 9 |
| | | | | Total - - £. | | | 15,994,832 | 14 | 1 |

| | £. | s. | d. |
|---|---|---|---|
| The Total Amount of Pecuniary Aid as above - - - - | 6,771,602 | 13 | 10 |
| The Value of Clothing, &c. furnished by the Commissary in Chief - | 1,853,652 | 10 | 7 |
| Ditto - - - Arms, &c. by the Board of Ordnance - - - | 1,969,581 | 0 | 7 |
| Ditto - - - Provisions and Naval Stores - - - - - - | 705,579 | 15 | 9 |
| | £.11,294,416 | 0 | 9 |

N. B. The Value of all Supplies furnished to Foreign Powers being included in the Accounts of Expenditure by the Army, Navy and Ordnance Departments, the Total Amount of such Supplies should be deducted therefrom, but as it is the usual practice to repay to the Ordnance and Naval Departments the Value of the Stores furnished by them, by Warrants upon the Paymaster General, the Total Deduction may be made from the Army Expenditure. The Value of the Supplies furnished by the Board of Ordnance must also be deducted from the Total Expenditure by that Board, as they give in their Accounts the Total of Payments made by them in each year, and consequently when the Value of the Stores furnished by them are repaid by the Paymaster General, those Sums are disbursed for other Services, and again appear in the Ordnance Accounts. The Naval Account on the contrary comprises only the Money issued from the Exchequer, and the Expenditure thereof.

N. B. By a Treaty entered into with the Russian and Prussian Governments, and subsequently sanctioned by Parliament, His Majesty's Government engaged to grant an Aid to those Governments of 15,000,000 Prussian Thalers in Paper, or £.2,500,000 Sterling, to be repaid at a certain period after Peace, the issue of the Paper to commence in July 1813, and to be issued in Monthly Proportions of 1,000,000 Thalers per Month till the whole is paid. No portion of these Thalers are included in the preceding Accounts.

APPENDIX (K. 1.)—*An Account, shewing how the Monies remaining in the Receipt of the* EXCHEQUER *on the 5th of Jan.* 1813, *together with the Monies paid into the same during the Year ended the 5th of Jan.* 1814, *have been actually applied; so far as relates to* MISCELLANEOUS SERVICES.

| *SERVICES AT HOME.* | *£.* | *s.* | *d.* |
|---|---|---|---|
| For defraying the Expense of erecting a new Court House, for the Marshalsea Court | 850 | 0 | 0 |
| For the Relief of American Loyalists | 19,000 | 0 | 0 |
| Ditto - - - St. Domingo Sufferers | 9,000 | 0 | 0 |
| Ditto - - - Suffering Clergy and Laity of France | 122,077 | 2 | 0 |
| Ditto - - - Toulonese and Corsican Emigrants | 11,000 | 0 | 0 |
| Ditto - - - Dutch Emigrants | 3,800 | 0 | 0 |
| Towards the Repair of Henry the Seventh's Chapel | 3,509 | 8 | 9 |
| In further execution of an Act for making Roads and building Bridges in the Highlands of Scotland | 20,000 | 0 | 0 |
| Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William | 10,000 | 0 | 0 |
| To pay the Salaries of certain Officers of the Two Houses of Parliament | 1,880 | 0 | 0 |
| For paying Fees on passing the Public Accounts | 3,000 | 0 | 0 |
| To defray the Expense of Law Charges | 30,000 | 0 | 0 |
| To pay the Expenses incident to the Two Houses of Parliament | 4,200 | 0 | 0 |
| To be paid to Sheriffs for Convictions of Felons and Overpayments in their Accounts | 12,500 | 0 | 0 |
| To make good the deficiency of the Grant 1812, for defraying the Expense of printing the Votes of the House of Commons | 172 | 14 | 6 |
| For defraying the Expense of printing ditto | 2,000 | 0 | 0 |
| To defray the Charge for Stationary for the Two Houses of Parliament | 3,068 | 17 | 10 |
| To defray Bills of the Usher of the Court of Exchequer for supplying the Court and Offices with Stationary, for keeping in good and sufficient Repair the said Court, and for the accustomed Fees or Allowances to the several Officers thereof | 2,641 | 17 | 2 |
| To make good the deficiency of Grant 1811 for ditto | 291 | 5 | 6 |
| To pay certain small charitable and other Allowances to the Poor of St. Martin's in the Fields, et al. | 1,247 | 10 | 1 |
| For defraying the Charge of the Superintendance of Aliens | 8,750 | 12 | 0 |
| Ditto - - the extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom | 5,000 | 0 | 0 |
| To defray the Expense of the Public Office, Bow-street | 12,479 | 1 | 5 |
| Towards completing the Royal Military College at Sandhurst | 70,171 | 18 | 2 |
| For carrying on the Improvement of Holyhead Harbour | 10,000 | 0 | 0 |
| To make good the Deficiency of the Grant in 1812, for defraying the Expense of printing Bills, Reports and other Papers, by order of the House of Commons | 11,298 | 11 | 4 |
| To defray the Expense of printing Bills, Reports, and other Papers, by Order of the House of Commons | 32,000 | 0 | 0 |
| For defraying the Expense of printing 1,750 Copies of 64th Volume of Journals of the House of Commons | 2,379 | 7 | 6 |
| To defray the Expense of reprinting 6 Volumes of Journals - Ditto - Ditto | 9,048 | 7 | 1 |
| Ditto - - - attending the confining, maintaining and employing Convicts at Home | 75,696 | 1 | 11½ |
| For defraying the Charge of the Royal Military College | 26,200 | 0 | 0 |
| Ditto - - - - - - - - Asylum at Chelsea | 25,000 | 0 | 0 |
| Towards the Expense of building a Bridge over the River Eden at Carlisle | 5,028 | 10 | 0 |
| To make good the deficiency of the Grant 1812, for defraying the Charge of printing for the House of Lords, and for printing Acts of Parliament | 10,511 | 1 | 6½ |
| For defraying the Charge of Printing for the House of Lords | 21,000 | 0 | 0 |
| To defray the Expense of making a Tunnel at the New Mint | 1,500 | 0 | 0 |
| Ditto - - - Works at the King's Bench Prison | 4,000 | 0 | 0 |
| For defraying the extra Charge for Contingencies of the Offices of the three Secretaries of State | 17,500 | 0 | 0 |
| Ditto - - - - - Messengers | 11,000 | 0 | 0 |
| For Protestant Dissenting Ministers in England | 1,657 | 17 | 0 |
| Ditto - - - - - - - Ireland | 753 | 12 | 6 |
| To complete the building of Bethlem Hospital, including Furniture for the same | 39,234 | 1 | 6 |
| Towards erecting a new Gaol and other Buildings for the County and City of Edinburgh | 11,000 | 0 | 0 |
| For Improvements of Streets and Places near to Westminster Hall | 1,632 | 7 | 9 |
| For the relief of the Poor French Refugee Clergy | 1,696 | 0 | 6 |
| For defraying the Expense of the Establishment of the Royal Naval Asylum | 25,257 | 2 | 7 |
| Ditto of completing the Buildings at Ditto | 22,013 | 6 | 0 |
| Towards defraying the Expenses of Building a Penitentiary House at Milbank | 25,060 | 0 | 6½ |
| For the Board of Agriculture | 3,000 | 0 | 0 |
| For defraying the Expense incurred for printing 1,250 Copies 46th and 47th Vols. Journals of the House of Peers | 3,235 | 17 | 2 |

| | £. | s. | d. |
|---|---|---|---|
| To make good the deficiency of Grant, 1811, for printing 1,750 Copies 63d and 64th Vols. Journals of the House of Commons | 501 | 9 | 2½ |
| To defray the Charge of the Superannuation Allowance to J. Planta, Esq. formerly one of the Paymasters of Exchequer Bills | 266 | 13 | 4 |
| Ditto to Mr. Pingo, formerly Assistant Engraver to his Majesty's Mint | 60 | 0 | 0 |
| Ditto to Mr. E. Royer, formerly Clerk in the Lottery Office | 170 | 0 | 0 |
| Ditto to Two retired Clerks in the Audit Office | 320 | 0 | 0 |
| To defray the Expense in executing sundry Works and Repairs at the Fleet Prison | 2,647 | 10 | 0¼ |
| Ditto of the National Vaccine Establishment | 3,000 | 0 | 0 |
| For the relief of the Poor French Refugee Laity | 4,600 | 0 | 0 |
| For enabling the Trustees of the British Museum to carry on the Trusts reposed in them by Parliament | 7,197 | 19 | 1 |
| To enable the Trustees of the British Museum to proceed in making the necessary Purchases for improving the collection of Printed Books | 1,000 | 0 | 0 |
| For defraying the Expenses of printing and distributing the Parish Registers | 10,000 | 0 | 0 |
| Ditto the charge of the Works and Repairs of the Military Roads in North Britain | 6,168 | 3 | 11 |
| For defraying Captain Manby's Allowance and Travelling Expenses, in carrying into execution his Plan for saving the Lives of Shipwrecked Mariners | 943 | 10 | 0 |
| To defray the charge of Building a Bridge over the Rivers Cree and Kenn | 3,476 | 10 | 0 |
| To the United Company of Merchants trading to the East Indies, towards defraying Expenses incurred by them in the Public Service | 2,000,000 | 0 | 0 |
| For paying off certain Annuities after the rate of £.5 per cent. per annum, being part of the Annuities granted by Acts 37 and 42 Geo. 3 | 184,056 | 0 | 9 |
| For the Salaries of the Officers and Incidental Expenses in preparing and drawing the Lotteries | 15,250 | 0 | 0 |
| To the Chief Clerk in the Office of the Auditor of the Exchequer for his extra trouble in preparing Exchequer Bills pursuant to the Act 48 Geo. 3 | 500 | 0 | 0 |
| For Salaries to the Officers, and Incidental Expenses of the Commissioners, for the reduction of the National Debt | 4,000 | 0 | 0 |
| For Incidental Expenses attending the Acts for the redemption of the Land Tax | 1,140 | 17 | 2 |
| To the Bank of England for Discount on prompt Payments on Loan, £.22,500,000 | 305,632 | 15 | 10 |
| Ditto for Management of £.20,000,000 part of Ditto | 16,000 | 0 | 0 |
| Ditto - Ditto £.2,500,000 part of Ditto on account of East India Company | 2,000 | 0 | 0 |
| Ditto for Discount on Lotteries | 1,323 | 3 | 7 |
| Ditto for receiving Ditto | 5,000 | 0 | 0 |
| Ditto for Management of Life Annuities | 576 | 13 | 6¾ |
| Ditto for Discount on prompt Payments on Debentures £.550,600 | 9,385 | 18 | 6 |
| Ditto for Management of Ditto | 440 | 9 | 7 |
| Ditto for Discount on prompt Payments on Debentures £.248,700 | 2,576 | 13 | 10 |
| Ditto for Management of Ditto | 198 | 19 | 2 |
| *To replace to his Majesty's Civil List, the Sums issued thereout, for the following Services; viz.* | | | |
| Pursuant to Act 52 Geo. 3, cap. 154 | 32,769 | 3 | 1½ |
| Pursuant to Addresses of the House of Commons | 2,536 | 17 | 0 |
| Pursuant to Act 53 Geo. 3, cap. 136 | 79,173 | 7 | 7 |
| Pursuant to Addresses of the House of Commons | 18,682 | 10 | 9 |
| Pursuant to a Resolution of the House of Commons, of the 16th November 1813 | 32,996 | 6 | 5½ |
| ***SERVICES ABROAD.*** | | | |
| To defray the Expense of the Civil Establishments of | | | |
| Upper Canada | 8,000 | 0 | 0 |
| Nova Scotia | 6,650 | 0 | 0 |
| New Brunswick | 5,625 | 0 | 0 |
| Bahama Islands | 3,029 | 15 | 0 |
| Bermuda | 948 | 1 | 10¾ |
| Newfoundland | 2,000 | 0 | 0 |
| Prince Edward's Island | 1,656 | 10 | 0 |
| Cape Breton | 2,644 | 0 | 0 |
| Dominica | 743 | 7 | 1¾ |
| Sierra Leone | 17,000 | 0 | 0 |
| New South Wales | 12,701 | 5 | 0 |
| For defraying the Charge of maintaining and repairing the British Forts on the Coast of Africa | 25,000 | 0 | 0 |
| To defray Bills drawn from Abroad on account of Allowances to certain French and Corsican Emigrants | 4,000 | 0 | 0 |
| For the relief of the French Emigrants resident in Guernsey and Jersey | 2,000 | 0 | 0 |
| To pay Bills drawn from New South Wales | 50,000 | 0 | 0 |
| To defray the Charge of his Majesty's Foreign and other Secret Services | 155,892 | 14 | 6 |
| Towards the relief of the suffering Inhabitants of Russia | 200,000 | 0 | 0 |
| Total | £. 4,005,824 | 18 | 4½ |

APPENDIX (K. 2.)—*Money issued from the Exchequer, in the Year ended 5th Jan.* 1814, *on account of the Commercial Exchequer Bills, authorised to be issued per Act* 51 *Geo.* 3, *cap.* 15.

| | £. | s. | d. |
|---|---|---|---|
| Issued in Payment of the Principal and Interest of the said Bills, and for Expenses of Management - - - - - - - - | 4,525 | 0 | 0 |

# VI.—PUBLIC FUNDED DEBT.

*An Account of the Progress made in the Redemption of the* Public Debt *of* Ireland, *Funded in* Great Britain, *at* 1*st February* 1814.

| FUNDS. | CAPITALS. | | | Redeemed by the Commissioners at the 1st Feb. 1814. | TOTAL SUMS paid. | | | Average price of Stocks. | SUMS annually applicable to the Reduction of the DEBT. | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | £. | s. | d. | | | £. | s. | d. |
| Consolidated 3 per ct. Annuit. | 36,835,125 | 0 | 0 | 6,023,927 | 3,759,958 | 5 | 11 | 62⅜ | Annuity of 1 per ct. on Capitals created since 1797 ... | 800,559 | 19 | 9¾ |
| Reduced ditto... | 36,668,750 | 0 | 0 | 6,428,006 | 3,992,462 | 18 | 8 | 62⅛ | Dividend on £. 12,451,933 3 per cent. ... | 373,557 | 19 | 9 |
| Consolidated 4 per ct. Annuit. | 5,054,375 | 0 | 0 | | | | | | | | | |
| Do 5 per cent. do. | 572,000 | 0 | 0 | | | | | | | | | |
| | 79,130,250 | 0 | 0 | 12,451,933 | 7,752,421 | 4 | 7 | 62¼ | | 1,174,117 | 19 | 6¾ |
| Redeemed by the Commissioners | 12,451,933 | 0 | 0 | | | | | | Bank Long Annuities which will expire 5th Jan. 1860 ... | 129,583 | 6 | 8 |
| Debt Unredeemed 1st Feb. 1814 | 66,678,317 | 0 | 0 | | | | | | | | | |

*Progress made in the Redemption of the* Imperial Debt, *at* 1*st February* 1814.

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Imperial 3 per ct. Annuities ...... | 7,502,633 | 6 | 8 | 1,497,936 | 902,404 | 8 | 3 | 60¼ | 1 per ct. on Capitals created by Loan 1797. | 36,693 | 0 | 0 |
| Redeemed by the Commissioners | 1,497,936 | 0 | 0 | | | | | | Dividend on £. 1,497,936 3 per cent. | 44,938 | 1 | 7 |
| Unredeemed 1st Feb. 1814 ...... | 6,004,697 | 6 | 8 | | | | | | | 81,631 | 1 | 7 |
| | | | | | | | | | Imperial Annuities which will expire 1st May 1819 ... | 230,000 | 0 | 0 |

*Progress made in the Redemption of the Debt of* Portugal, *at* 1*st February* 1814.

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Reduced 3 per cent Annuities | 895,522 | 7 | 9 | 237,150 | 148,151 | 9 | 11 | 62½ | Annual Appropriation ...... | 30,000 | 0 | 0 |
| Redeemed by the Commissioners | 237,150 | 0 | 0 | | | | | | Dividend on £.237,150 3 per cent. Annuities...... | 7,114 | 10 | 0 |
| Unredeemed 1st Feb. 1814 ...... | 658,372 | 7 | 9 | | | | | | | 37,114 | 10 | 0 |

## *An Account of the Progress made in the Redemption of the* PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *at 1st February* 1814.

| FUNDS. | CAPITALS. £. | s. | d. | Redeemed by the Commissioners from 1st August 1786, to 1st Feb. 1814. £. | TOTAL SUMS paid. £. | s. | d. | Average Price of Stocks. |
|---|---|---|---|---|---|---|---|---|
| Consol, 3 per cent. Ann. | 423,670,558 | 4 | 5¼ | 75,985,918 | 47,392,726 | 5 | 10 | 62⅜ |
| … ..Do. pro 1807…… | 8,400,000 | 0 | 0 | 3,692,430 | 2,339,475 | 13 | 6 | 63⅝ |
| Reduced 3 per ct. Ann. | 244,828,522 | 0 | 1 | 132,585,101 | 81,562,362 | 10 | 6 | 61½ |
| ……Do. pro 1807…… | 8,400,000 | 0 | 0 | 4,013,936 | 2,548,890 | 15 | 11 | 63½ |
| Old South Sea Anns.<br>New Do.………… | 24,065,084 | 13 | 11½ | 9,234,000 | 6,382,387 | 15 | 6 | 69<br>69⅜ |
| 3 per Cent. Do. 1751… | 1,919,600 | 0 | 0 | 936,000 | 664,226 | 15 | 0 | 71 |
| Consol. 4 per Cent. Ann. | 74,077,744 | 2 | 2 | 7,796,400 | 6,586,934 | 8 | 9 | 84½ |
| …Do…5 per Cent. do… | 104,790,254 | 13 | 7 | 142,000 | 126,998 | 7 | 6 | 89⅝ |
| … Do … £.12,000,000 part of £.14,200,000 pro 1807 ………… | 1,272,000 | 0 | 0 | — | — | | | |
| 5 per Cent. Annuities 1797 & 1802 ……… | 1,438,938 | 14 | 0 | — | — | | | |
| 3 per Cent…do. 1726.. | 1,000,000 | 0 | 0 | — | — | | | |
| …Do… Bank Ann…… | 11,686,800 | 0 | 0 | — | — | | | |
| | 905,549,502 | 8 | 2¾ | 234,385,785 | 147,604,002 | 12 | 6 | 62¼ |
| Transferred to the Commissioners, on account of Land Tax Redeemed | 24,633,881 | 2 | 3 | | | | | |
| | 880,915,621 | 5 | 11¾ | | | | | |
| Do.…for the Purchase of Life Annuities per 48th Geo. 3……… | 2,361,667 | 0 | 0 | | | | | |
| | 878,553,954 | 5 | 11¾ | | | | | |
| Redeemed by the Commissioners ……… | 234,385,785 | 0 | 0 | | | | | |
| DEBT Unredeemed at 1st February 1814 … | 644,168,169 | 5 | 11¾ | | | | | |

| SUMS Annually applicable to the Reduction of the NATIONAL DEBT. | £. | s. | d. |
|---|---|---|---|
| Annual Charge, per 26 G. 3 | 1,000,000 | 0 | 0 |
| ……Do…………… 42 do.. | 200,000 | 0 | 0 |
| ……Do…………… 53 do.. | 260,000 | 0 | 0 |
| Anns. for 99 & 96 Y. ex. 1792 | 54,880 | 14 | 6 |
| Do. for 10 Years…do. 1787 | 25,000 | 0 | 0 |
| Life Annuities Unclaimed for 3 Years, 5th Jan. 1814 | 31,109 | 2 | 0 |
| ……Do…… of which the Nominees shall have died prior to 5th July 1802 … | 21,141 | 6 | 1 |
| Dividend on £.218,741,019 at 3 per cent. …………… | 6,562,230 | 11 | 5 |
| ……Do… on £.7,796,400 at 4 per cent. …………… | 311,856 | 0 | 0 |
| ……Do…… on £.142,000 at 5 per cent. …………… | 7,100 | 0 | 0 |
| 1 per ct. on Capitals created since 1st Feb. 1793……… | 5,604,804 | 17 | 8¾ |
| Annual Amount for the Reduction of £. 12,000,000 pro 1807 ……………… | 626,255 | 10 | 5 |
| Dividend on £. 7,706,366 3 per cent. on do… ……… | 231,190 | 19 | 7 |
| Dividend on £.2,361,667 3 per cent. transferred for Purchase of Life Annuities | 70,850 | 0 | 2 |
| | 15,006,419 | 1 | 10¾ |
| Deduct Life Annuities, &c. Chargeable on Sinking Fund …………………… | 3,415,966 | 15 | 9 |
| | 11,590,452 | 6 | 1¾ |

| ANNUITIES Fallen in since the 22d June 1802, or that will fall in hereafter. | £. | s. | d. |
|---|---|---|---|
| Exchequer Annuities, 2d and 3d Anne, expired 5th April 1803. | 23,369 | 13 | 4 |
| Do…do. 5th Jan. 1805 | 7,030 | 6 | 8 |
| Do. 4 Anne do. 5th April 1805 ……… … | 23,254 | 11 | 6 |
| Do. 5 Anne do. 5th April 1806 ………… | 7,776 | 10 | 0 |
| Do. 6 Anne do. 5th April 1807 ………… | 4,710 | 10 | 0 |
| Do. 6 Anne do. 5th July 1807 ……… … | 10,181 | 0 | 0 |
| Bank Short Annuities, do. 5th Jan. 1808 … | 418,333 | 0 | 11 |
| Do. Long do. will expire 5th Jan. 1860 … | 1,229,852 | 12 | 0½ |

By an Act 42 Geo. 3. cap. 71, such Annuities as fall in after the passing of that Act, are not to be placed to the account of the Commissioners for the Reduction of the National Debt.

*An Account of the* PUBLIC FUNDED DEBT *of* GREAT BRITAIN, *as the same stood on the 1st of February* 1814.

| *TOTAL DEBT UNREDEEMED.* | *£.* | *s.* | *d.* | *£.* | *s.* | *d.* |
|---|---|---|---|---|---|---|
| At 3 per Cent. | | | | | | |
| Bank of England, and Annuities, 1726 | 12,686,800 | 0 | 0 | | | |
| South Sea Old and New Annuities, 1751 | 15,814,684 | 13 | 11½ | | | |
| Consolidated Annuities | 373,829,413 | 18 | 11¼ | | | |
| Reduced Annuities | 135,911,744 | 17 | 9 | | | |
| At 4 per Cent. | | | | | | |
| Consolidated Annuities | 71,335,719 | 2 | 2 | | | |
| At 5 per Cent. | | | | | | |
| Consolidated Annuities | 106,492,254 | 13 | 7 | | | |
| Annuities 1797 and 1802 | 1,438,938 | 14 | 0 | | | |
| TOTAL CAPITALS | | | | 717,509,556 | 0 | 4¾ |
| Annual Interest | 24,397,267 | 14 | 8¾ | | | |
| Annuities for Lives, or for Terms of Years | 1,663,174 | 1 | 1¾ | | | |
| Charges of Management | 265,881 | 15 | 10 | | | |
| Annual or other Sums payable to the Commissioners for the Reduction of the National Debt, by sundry Acts of Parliament | 13,010,892 | 11 | 11¾ | | | |
| TOTAL of ANNUAL EXPENSE | | | | 39,337,216 | 3 | 8¼ |

## VII.—UNFUNDED DEBT.

*An Account of the* UNFUNDED DEBT *and* DEMANDS OUTSTANDING *on the 5th Day of January* 1814.

| | Amount Outstanding. | | | | | |
|---|---|---|---|---|---|---|
| | *£.* | *s.* | *d.* | *£.* | *s.* | *d.* |
| EXCHEQUER. | | | | | | |
| Exchequer Bills provided for | 20,194,600 | 0 | 0 | | | |
| ......... Do ...... unprovided for | 27,322,200 | 0 | 0 | 47,516,800 | 0 | 0 |
| TREASURY. | | | | | | |
| Miscellaneous Services | 588,789 | 9 | 2¾ | | | |
| Warrants for Army Services | 76,599 | 9 | 6¼ | | | |
| Treasury Bills | 1,813,536 | 3 | 3¼ | 2,478,925 | 2 | 0¼ |
| Army | - | - | - | 1,477,877 | 4 | 0 |
| Barracks | - | - | - | 204,617 | 1 | 7 |
| Ordnance | - | - | - | 671,093 | 4 | 9 |
| Navy | - | - | - | 8,561,290 | 17 | 3 |
| Civil List Advances | - | - | - | 58,363 | 2 | 4½ |
| | | | | 60,968,966 | 11 | 11¾ |

# VIII.—DISPOSITION OF GRANTS.

*An Account shewing how the* MONIES, *given for the* SERVICE *of the Year* 1813, *have been disposed of; so far as relates to* GREAT BRITAIN.

| SERVICES. | SUMS Voted or Granted. | | | SUMS Paid. | | | Remains to be Paid. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Navy | 20,503,011 | 11 | 7 | 20,503,011 | 11 | 7 | | | |
| Ordnance | 4,581,577 | 1 | 10 | 2,987,000 | 0 | 0 | 1,594,577 | 1 | 10 |
| Forces | 29,890,728 | 15 | 10 | 29,890,728 | 15 | 10 | | | |
| Vote of Credit | 5,000,000 | 0 | 0 | 5,000,000 | 0 | 0 | | | |
| Ditto for Portugal | 2,000,000 | 0 | 0 | 2,000,000 | 0 | 0 | | | |
| Ditto Sicily | 400,000 | 0 | 0 | 400,000 | 0 | 0 | | | |
| To enable his Majesty to afford Relief to the suffering Inhabitants of Russia | 200,000 | 0 | 0 | 200,000 | 0 | 0 | | | |
| To make good Engagements with the King of Sweden | 1,000,000 | 0 | 0 | 1,000,000 | 0 | 0 | | | |
| Towards carrying on the Breakwater in Plymouth Sound | 72,000 | 0 | 0 | 72,000 | 0 | 0 | | | |
| To make good the like Sum which has been issued by his Majesty's Orders, pursuant to Addresses of the House of Commons | 18,682 | 10 | 9 | 18,682 | 10 | 9 | | | |
| Civil Establishments | 264,353 | 11 | 6 | 239,533 | 8 | 4 | 24,820 | 3 | 2 |
| To make good Sums, issued at the Receipt of the Exchequer out of his Majesty's Civil List Revenues | 79,173 | 7 | 7 | 79,173 | 7 | 7 | | | |
| Other Expenses | 2,322,962 | 4 | 1 | 2,168,184 | 19 | 7½ | 154,777 | 4 | 5½ |
| Services paid without Fee or Deduction | 5,239,270 | 11 | 0¼ | 4,910,465 | 8 | 7½ | 328,805 | 2 | 4 |
| | 71,571,759 | 14 | 2¼ | 69,468,780 | 2 | 4 | 2,102,979 | 11 | 9½ |

Payments for other Services, not being part of the Supplies granted for the Service of the Year ........ £.404,881 14 0¾

## WAYS *and* MEANS *for answering the foregoing* SERVICES.

| | £. | s. | d. |
|---|---|---|---|
| Duties on Pensions, Offices, and Personal Estates | 3,000,000 | 0 | 0 |
| Estimated Surplus of Consolidated Fund, to 5th April 1814 | 500,000 | 0 | 0 |
| War Taxes | 21,000,000 | 0 | 0 |
| Estimated Profits of Lotteries | 200,000 | 0 | 0 |
| War Taxes 1812, being the amount of Exchequer Bills subscribed to be funded pursuant to Act 53 Geo. 3, cap. 41 and 53, charged on the Aids of that Year | 5,862,900 | 0 | 0 |
| ......Ditto......1813, being the amount of Ditto | 3,471,500 | 0 | 0 |
| Exchequer Bills granted per Act 53 Geo. 3, cap. 118 | 5,670,700 | 0 | 0 |
| Loan per Act 53 Geo. 3, cap. 69, (part of £.27,000,000, the remainder being for the Service of Ireland) | 21,000,000 | 0 | 0 |
| Money raised by Debentures per Act 53 Geo. 3, cap. 42, (£.6,000,000) | 550,600 | 0 | 0 |
| ......Ditto..............Ditto..............Ditto............ 53, (£.3,000,000) | 248,700 | 0 | 0 |
| Exchequer Bills on Vote of Credit | 5,000,000 | 0 | 0 |
| ......Ditto......per Act 53 Geo. 3, cap. 119 | 1,000,000 | 0 | 0 |
| Monies arisen from the Sale of old Naval Stores; including £.70,812, to be accounted for to Ireland, being the Irish proportion thereof | 601,908 | 0 | 0 |
| | 68,106,308 | 0 | 0 |
| Total Sum granted, as per preceding Account | 71,571,759 | 14 | 2¼ |
| Paid for Services not voted as per ditto | 404,881 | 14 | 0¾ |
| | 71,976,641 | 8 | 3 |
| Amount of Ways and Means, as above | 68,106,308 | 0 | 0 |
| Deficiency of Ways and Means | 3,870,333 | 8 | 3 |

Note.—When the Proportion of Ireland's contribution of 2-17ths to the General Expenditure of the United Kingdom shall be received, it will be applied in Aid of this Deficiency.

# I.—PUBLIC INCOME OF IRELAND:

## FOR THE YEAR ENDING FIFTH JANUARY, 1814.

*An Account of the* Ordinary Revenues *and* Extraordinary Resources *constituting the* Public Income *of* Ireland.

| HEADS OF REVENUE. | GROSS RECEIPT: Total Receipt to be accounted for. | | | Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenues. | | | NET PRODUCE applicable to National Objects, and the Payments into the Exchequer. | | |
|---|---|---|---|---|---|---|---|---|---|
| **Ordinary Revenue.** | | | | | | | | | |
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| CUSTOMS | 2,988,905 | 18 | 2 | 504,185 | 2 | 5¼ | 2,484,720 | 15 | 8¾ |
| EXCISE | 3,244,085 | 6 | 9¾ | 338,985 | 0 | 10¾ | 2,905,100 | 5 | 10½ |
| STAMPS | 953,306 | 18 | 2¾ | 55,142 | 10 | 4¾ | 898,164 | 7 | 10 |
| POST OFFICE | 250,656 | 8 | 4½ | 125,686 | 16 | 5¼ | 124,969 | 11 | 11¼ |
| Poundage Fees | 30,817 | 16 | 0½ | - | - | | 30,817 | 16 | 0½ |
| Pells Fees | 6,163 | 10 | 7¼ | - | - | | 6,163 | 10 | 7¼ |
| Casualties | 4,996 | 10 | 8 | - | - | | 4,996 | 10 | 8 |
| Total Ordinary Revenue | 7,478,932 | 8 | 10¼ | 1,023,999 | 10 | 2 | 6,454,932 | 18 | 8¼ |
| **Extraordinary Resources.** | | | | | | | | | |
| From the Commissioners of the Navy in Great Britain, on account of Advances made by several Collectors in Ireland, for Seamen's Wages | 65,976 | 1 | 9 | - | - | | 65,976 | 1 | 9 |
| From the Paymaster General of Great Britain, on account of Advances made by several Collectors in Ireland, for Half-pay to reduced Officers, Pensions to Officers' Widows, &c. on the British Establishment | 5,283 | 10 | 0½ | - | - | | 5,283 | 10 | 0½ |
| From Great Britain, being one-third of the Profit on the Lotteries for 1812 | 132,618 | 1 | 1 | - | - | | 132,618 | 1 | 1 |
| From several County Treasurers, per the Receiver General, on account of Advances made by the Treasury for improving Post Roads in Ireland | 30,752 | 13 | 11½ | - | - | | 30,752 | 13 | 11½ |
| From several County Treasurers, per the Receiver General, on account of Advances for building Gaols | 7,450 | 0 | 0 | - | - | | 7,450 | 0 | 0 |
| Other Monies paid to the Public | 53,783 | 5 | 4 | - | - | | 53,783 | 5 | 4 |
| Total, independent of the Loans | 7,774,796 | 1 | 0¼ | 1,023,999 | 10 | 2 | 6,750,796 | 10 | 10¾ |
| LOANS paid into the Exchequer, in the Year ended the 5th January, 1814. | 7,575,862 | 1 | 4½ | - | - | | 7,575,862 | 1 | 4½ |
| Total, including Loans | 15,350,658 | 2 | 4¾ | 1,023,999 | 10 | 2 | 14,326,658 | 12 | 2¾ |
| *Appropriated Duties for Local Objects.* | | | | | | | | | |
| Linen Manufacture | 268 | 5 | 2½ | 1 | 1 | 0 | 267 | 4 | 2½ |
| Improvement of Dublin | 8,910 | 16 | 7 | - | - | | 8,910 | 16 | 7 |
| Repairs of the Royal Exchange, and Commercial Buildings | 2,416 | 15 | 2 | - | - | | 2,416 | 15 | 2 |
| Lagan Navigation | 3,038 | 17 | 11¼ | 1,738 | 5 | 3 | 1,300 | 12 | 8¼ |
| Inns of Court | 2,630 | 6 | 8 | - | - | | 2,630 | 6 | 8 |
| Light-houses | 27,221 | 17 | 2¾ | 1,260 | 6 | 6¾ | 25,962 | 10 | 8 |
| Total appropriated Duties for Local Objects | 44,487 | 18 | 9½ | 2,999 | 12 | 9¾ | 41,488 | 5 | 11¾ |
| GRAND TOTAL | 15,395,146 | 1 | 2¼ | 1,026,999 | 2 | 11¾ | 14,368,146 | 18 | 2½ |

# II.—CONSOLIDATED FUND OF IRELAND.

*Account of the* CONSOLIDATED FUND *of* IRELAND, *for the Year ending the 5th of January* 1814.

| | INCOME. £. | s. | d. |
|---|---|---|---|
| Balance on the Consolidated Fund remaining in the Exchequer, on the 5th January 1813 | 1,359,673 | 8 | 7¼ |
| Customs and Excise Duties, including Quit Rents and Payments on account of dismissed and deceased Collectors | 4,199,627 | 6 | 5¼ |
| Stamp Duties | 724,353 | 0 | 0¼ |
| Post Office Revenue | 96,000 | 0 | 0 |
| Poundage Fee | 30,817 | 16 | 0½ |
| Pells Fee | 6,163 | 10 | 7¼ |
| | 6,416,635 | 1 | 8½ |
| Repayments from Great Britain, for Advances for Seamen's Wages, Half-pay to reduced Officers, Pensions to Officers' Widows, &c. on the British Establishment | 71,259 | 11 | 9½ |
| On account of Advances made for improving Post Roads, and building Gaols | 35,219 | 7 | 1½ |
| Other Monies paid to the Public | 58,779 | 16 | 0 |
| EXTRAORDINARY RESOURCES. | | | |
| On Account of Loans | 7,575,862 | 1 | 4½ |
| On Exchequer Bills | 330,000 | 0 | 0 |
| From Great Britain, being one-third of the Profit or Lotteries for 1812 | 132,618 | 1 | 1 |
| | 14,620,373 | 19 | 1 |

| | ACTUAL PAYMENTS. £. | s. | d. | CHARGE. £. | s. | d. |
|---|---|---|---|---|---|---|
| Interest on Funded Debt, including Annuities and Management | 4,020,203 | 13 | 2¼ | 4,020,203 | 13 | 2¼ |
| Interest on Unfunded Debt | 122,648 | 2 | 5 | 122,661 | 5 | 4 |
| Sinking Fund and Management | 1,105,968 | 4 | 1¾ | 1,204,279 | 0 | 5¾ |
| Principal of Debentures | - | - | - | 2,225 | 0 | 0 |
| Principal of Exchequer Bills | 348,423 | 12 | 2 | 348,831 | 18 | 10 |
| Lottery Prizes | 79 | 0 | 0 | 25,927 | 0 | 0 |
| Discount on prompt Payment of Loan Deposits, &c. | 26,053 | 12 | 3 | 26,053 | 12 | 3 |
| Inland Navigations | 10,309 | 5 | 6¾ | 10,309 | 5 | 6¾ |
| Improving Post Roads | 57,796 | 13 | 0½ | 57,796 | 13 | 0½ |
| Pier at Ardglass, in the County of Down | 5,883 | 16 | 8 | 5,883 | 16 | 8 |
| On account of Balance due Great Britain, on joint Expenditure, to the 5th January 1813 | 2,820,409 | 11 | 8 | 2,820,409 | 11 | 8 |
| | 8,517,775 | 11 | 1¼ | 8,644,580 | 17 | 0¼ |
| Civil List | 182,695 | 1 | 8 | Unascertained. | | |
| Pensions to 25th March 1813 | 43,149 | 4 | 0½ | | | |
| Permanent Parliament Payments | 255,792 | 17 | 4¾ | | | |
| Grants for Military purposes | 3,675,313 | 19 | 6¾ | | | |
| Vote of Credit | 41,621 | 12 | 7½ | | | |
| Grants for Civil purposes | 520,266 | 14 | 7½ | | | |
| | 13,236,615 | 1 | 0¼ | Unascertained. | | |
| SURPLUS of the Consolidated Fund on 5th Jan. 1814 | 1,383,758 | 18 | 0¾ | | | |
| | 14,620,373 | 19 | 1 | | | |

## III.—ARREARS AND BALANCES.

| | £. | s. | d. |
|---|---|---|---|
| Balances due on the 5th Jan. 1814, from deceased and dismissed Collectors of Customs | 12,479 | 0 | 9¾ |
| Ditto……………………Ditto …………………………… …………………… Excise | 193,269 | 8 | 3½ |
| Ditto……………………Ditto ………………… Hearth Money Collectors……….. | 68,014 | 12 | 0½ |

## IV.—TRADE AND NAVIGATION.

*Value of all* Imports *into, and of all* Exports *from,* Ireland, *for Three Years, ending the 5th January,* 1814.

| | OFFICIAL VALUE OF IMPORTS. | | | OFFICIAL VALUE of Irish Produce and Manufactures Exported. | | | OFFICIAL VALUE of Foreign and Colonial Merchandize Exported. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Year ended 5th January 1812 …………… | 7,231,603 | 15 | 10¼ | 5,833,996 | 9 | 7½ | 256,415 | 4 | 9½ |
| 1813 …………… | 8,820,359 | 16 | 1 | 6,463,744 | 13 | 1¼ | 404,424 | 11 | 10½ |
| 1814 …………… | 8,447,060 | 8 | 7 | 6,822,095 | 5 | 1¼ | 436,576 | 6 | 10¼ |

Note.—The real Value of Irish Produce and Manufactures Exported in the Year ending the 5th of Jan. 1814, computed at the average Prices Current, amounted to £.14,837,577 10 2

*Number of* Vessels, *with the Amount of their* Tonnage, *that were Built and Registered in the several Ports of* Ireland, *for three Years.*

| | VESSELS. | TONS. |
|---|---|---|
| Year ending 5th January 1812 ………………………………………… | 41 | 1,655 |
| 1813 ………………………………………… | 50 | 1,952 |
| 1814 ………………………………………… | 41 | 2,082 |

*Number of* Vessels, *with the Amount of their* Tonnage, *and Number of* Men *and* Boys *usually employed in navigating the same, which belonged to the several Ports of* Ireland *on the 30th September,* 1813.

| VESSELS. | TONNAGE. | MEN & BOYS. |
|---|---|---|
| 1,146 | 60,227 | 5,516 |

*Number of* Vessels *with the Amount of their* Tonnage, *&c. that entered* Inwards *and cleared* Outwards, *in the several Ports of* Ireland, *from, or to, all Parts of the World, in the three Years ending 5th January* 1814.

| | INWARDS. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | IRISH. | | | BRITISH. | | | FOREIGN. | | |
| Years ending 5th January, | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. | SHIPS. | TONS. | MEN. |
| 1812 …………… | 1,956 | 133,746 | 9,125 | 7,404 | 686,255 | 39,501 | 644 | 129,994 | 6,673 |
| 1813 …………… | 2,229 | 152,355 | 10,398 | 9,022 | 830,473 | 47,809 | 405 | 79,307 | 4,255 |
| 1814 …………… | 2,092 | 142,863 | 9,631 | 7,503 | 693,747 | 39,762 | 327 | 62,571 | 3,477 |
| | OUTWARDS. | | | | | | | | |
| Years ending 5th January, | | | | | | | | | |
| 1812 …………… | 1,853 | 129,031 | 8,651 | 6,865 | 642,767 | 36,051 | 621 | 126,588 | 6,265 |
| 1813 …………… | 2,103 | 151,141 | 10,042 | 8,465 | 792,829 | 45,437 | 421 | 85,505 | 4,368 |
| 1814 …………… | 1,928 | 141,232 | 9,502 | 7,307 | 685,407 | 39,496 | 320 | 63,531 | 3,292 |

## V.—PUBLIC EXPENDITURE.

| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|---|---|---|
| I. For Interest on the Funded Debt of Ireland, including Annuities for Lives and Terms of Years; also £.1 per Cent. for the Reduction of the Capital, created by Loans, since 1797 (A) | 5,052,663 | 18 | 9¼ | | | | | | |
| For Charge of Management thereon | - | - | | 22,771 | 2 | 9¾ | | | |
| There was also applied towards the Reduction of the National Debt, on account | 50,736 | 15 | 9 | | | | | | |
| | 5,103,400 | 14 | 6¼ | | | | | | |
| Whereof was applied towards the Reduction of the National Debt... | 1,687,038 | 5 | 9¾ | | | | | | |
| Total on account of Interest | 3,416,362 | 8 | 8½ | | | | | | |
| Ditto, for Charge of Management... | 22,771 | 2 | 9¾ | | | | | | |
| Ditto, on account of the Reduction of the National Debt | 1,687,038 | 5 | 9¾ | - | - | | 5,126,171 | 17 | 4 |
| II. For Interest on Exchequer Bills (B.) | - | - | | - | - | | 122,648 | 2 | 5 |
| III. Issues for the separate Service of Ireland (C.) | - | - | | - | - | | 3,252,762 | 9 | 1 |
| IV. Issues from Appropriated Funds for Local Purposes (D.) | - | - | | - | - | | 38,489 | 0 | 6 |
| V. Civil List | - | - | | 182,695 | 1 | 8 | | | |
| Pensions, to the 25th March 1813 | - | - | | 43,149 | 4 | 0½ | | | |
| Other Permanent Charges (E) | - | - | | 255,792 | 17 | 4¾ | | | |
| | | | | | | | 481,637 | 3 | 1 |
| VI. Payments in Anticipation of Exchequer Receipts: (F. 1 & 2.) viz. | | | | | | | | | |
| Bounties from Customs | 27,692 | 8 | 0½ | | | | | | |
| Bounties from Excise | 622 | 10 | 0 | | | | | | |
| | | | | 28,314 | 18 | 0½ | | | |
| Militia, Deserters' Warrants, &c. from Excise | 94,729 | 8 | 2½ | | | | | | |
| Rewards for straggling Seamen, from Excise | 10 | 17 | 9 | | | | | | |
| | | | | 94,740 | 5 | 11½ | | | |
| | | | | | | | 123,055 | 4 | 0 |
| VII. Ordnance (G) | - | - | | - | - | | 563,004 | 17 | 10 |
| VIII. Army.—Ordinary Service; (H.) viz. | | | | | | | | | |
| Regulars, Militia, and Volunteer Corps, &c. | - | - | | 2,239,634 | 13 | 7¼ | | | |
| Commissariat Establishment | - | - | | 209,466 | 9 | 2½ | | | |
| Barracks | - | - | | 368,306 | 13 | 5¼ | | | |
| Staff Officers and Officers of Garrisons | - | - | | 101,085 | 7 | 4 | | | |
| Half Pay, Supernumerary, and retired Officers | - | - | | 24,517 | 9 | 0¼ | | | |
| Officers' Widows | - | - | | 6,088 | 10 | 2½ | | | |
| Royal Hospital, Kilmainham | - | - | | 93,016 | 13 | 2 | | | |
| Public Officers, their Deputies, Clerks, and Contingent Expenses | - | - | | 10,965 | 12 | 6½ | | | |
| Superannuated Officers | - | - | | 4,510 | 4 | 5¼ | | | |
| | | | | 3,057,591 | 17 | 11½ | | | |
| Extraordinary Services | - | - | | 54,717 | 3 | 9¼ | | | |
| | | | | | | | 3,112,309 | 1 | 8 |
| IX. Miscellaneous Services (I.) | - | - | | - | - | | 536,459 | 16 | 10 |
| Lastly, Vote of Credit (K.) | - | - | | - | - | | 41,621 | 12 | 7 |
| | | | | | | | 13,398,159 | 5 | 6 |

## A. 1.)—MONIES *paid out of the Receipt of the Exchequer, in the Year ending the 5th Jan.* 1814, *towards defraying the Charge of the* PUBLIC FUNDED DEBT *of* IRELAND.

| | Interest and Annuities for Lives and Terms of Years, &c. | | | Charge of Management. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| Interest, &c. on the Funded Debt of Ireland ..................... | 5,052,663 | 18 | $9\frac{1}{4}$ | 22,771 | 2 | $9\frac{3}{4}$ |
| | 22,771 | 2 | $9\frac{3}{4}$ | | | |
| | 5,075,435 | 1 | 7 | | | |
| On account of Annual Issue for the Reduction of the National Debt ............................................................... | 50,736 | 15 | 9 | | | |
| | 5,126,171 | 17 | 4 | | | |

## A. 2.)—*Total Amount of the Sums actually received by the Commissioners for the Reduction of the* NATIONAL DEBT, *in the Year ending 5th Jan.* 1814.

| | In Great Britain. | | | In Ireland. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| On account of Annual Issue ........................................ | - | - | | 50,736 | 15 | 9 |
| Expired Annuities............................................................ | - | - | | 40,532 | 0 | 3 |
| Appropriation of £.1 per Cent. per Annum on Loans since 1797 | 811,791 | 6 | $2\frac{3}{4}$ | 202,288 | 13 | 1 |
| | 811,791 | 6 | $2\frac{3}{4}$ | 293,557 | 9 | 1 |
| nterest on Debt of Ireland redeemed.................................. | 360,520 | 5 | 7 | 221,169 | 4 | 11 |
| | 1,172,311 | 11 | $9\frac{3}{4}$ | 514,726 | 14 | 0 |
| | 514,726 | 14 | 0 | | | |
| | 1,687,038 | 5 | $9\frac{3}{4}$ | | | |

## B.)—*Interest on* EXCHEQUER BILLS, *with the Payments made in the Year from the 5th Jan.* 1813 *to the 5th Jan.* 1814.

| | £. | s. | d. |
|---|---|---|---|
| here remained Interest on Exchequer Bills unclaimed on the 5th January 1813... | 13 | 2 | 11 |
| Charge for Interest at £.5 per Cent. | | | |
| n £.114,062 10 0 from 25th Sept. 1812, to 25th March 1813 (when paid off)... | 2.851 | 11 | 3 |
| n £.216,000 0 0 from Do. ............... to Do. .................. Do. ..... ......... | 5,400 | 0 | 0 |
| On £. 18,461 2 2 from 25th Dec. ...Do. to 12th July ...Do. ......................... | 500 | 14 | 6 |
| n £.293,750 0 0 from 25th Sept....Do. to 25th Sept....Do. ....... ................ | 14,687 | 10 | 0 |
| n £.150,000 0 0 from Do. .............. to Do. ............................................ | 7,500 | 0 | 0 |
| n £.1,216,666 13 4 from 24th Dec. ...... to 24th Dec.................................. | 60,833 | 6 | 8 |
| n £.500,000 0 0 from Do. ........... .. to Do. .......................................... | 25,000 | 0 | 0 |
| n £.235,000 0 0 from 25th March 1813, to 25th September following ......... | 5,875 | 0 | 0 |
| | 122,661 | 5 | 4 |
| educt Interest unclaimed on the 5th January 1814 .................................... | 13 | 2 | 11 |
| otal Payments for Interest on Exchequer Bills, in the Year to 5th January 1814... | 122,648 | 2 | 5 |

## C.)—*Payments made in the Year ending the 5th of January* 1814, *for the separate Service of* IRELAND.

| | £. | s. | d. |
|---|---|---|---|
| or improving Post Roads ......... .......................................................... | 57,796 | 13 | $0\frac{1}{2}$ |
| n account of the Balance due by Ireland, on the joint Expenditure of the United Kingdom, to 5th January 1813 ...................................................... | 2,820,409 | 11 | 8 |
| ottery Prizes ... ......................................... ....................... ........ | 79 | 0 | 0 |
| rincipal of Exchequer Bills ............................................................... | 348,423 | 12 | 2 |
| iscount on prompt Payment of Loan Deposites, &c. ...................................... | 26,053 | 12 | 3 |
| | 3,252,762 | 9 | $1\frac{1}{2}$ |

## (D.)—*Payments made from the* Funds *appropriated for Local Purposes in* Ireland, *from the 5th Jan.* 1813, *to the 5th Jan.* 1814.

| | £. | s. | d. |
|---|---|---|---|
| Linen Manufacture | 170 | 3 | 10½ |
| Improving Dublin | 9,362 | 0 | 0 |
| King's Inns | 1,659 | 13 | 3 |
| Royal Exchange and Commercial Buildings | 2,128 | 0 | 0 |
| Light House Duties | 25,169 | 3 | 4¾ |
| | 38,489 | 0 | 6¼ |

## (E.)—*Payments made in the Year to the 5th Jan.* 1814, *under the several Heads of—Civi List, Pensions, and other permanent Charges.*

| | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| Arrear on the Civil List on the 5th January 1813 | 34,901 | 18 | 7¼ | | | |
| Charge to the 25th March 1813, at £.145,000 per Annum | 36,250 | 0 | 0 | | | |
| Charge from the 25th March 1813 (when the Pensions were reduced to £.80,000 per Annum, and added to the Civil List, making the amount £.225,000, pursuant to 33 Geo. 3, cap. 34,) to the 25th December following | 168,750 | 0 | 0 | | | |
| | 239,901 | 18 | 7¼ | | | |
| Deduct Arrear on the 5th January 1814 | 57,206 | 16 | 11¼ | 182,695 | 1 | 8 |
| Issued for the Civil List, in one Year, to the 5th January 1814 | - | - | - | | | |
| Pensions to the 25th March 1813 | - | | - | 43,149 | 4 | 0½ |
| Other Permanent Charges, viz. | | | | | | |
| Public Infirmaries | 3,450 | 0 | 0 | | | |
| Public Coal Yards | 1,130 | 17 | 11 | | | |
| Army Baggage | 15,234 | 14 | 11 | | | |
| Police Establishment | 15,386 | 1 | 1¼ | | | |
| Inspector General of Prisons, &c. | 34,083 | 1 | 8¾ | | | |
| Transportation of Felons, &c. | 16,594 | 13 | 7¼ | | | |
| Fees on Auditing Treasury Accounts | 1,065 | 19 | 6¾ | | | |
| Imprest Office | 18,846 | 6 | 10¾ | | | |
| Secret Service in detecting treasonable Conspiracies | 9,278 | 7 | 0 | | | |
| Annuities and Compensation Allowances | 96,095 | 18 | 0½ | | | |
| Judges' additional Salaries, &c. | 40,208 | 15 | 4¾ | | | |
| Controverted Elections | 1,151 | 0 | 0 | | | |
| Commissions of Inquiry | 2,465 | 9 | 3¼ | | | |
| Board of Education | 300 | 0 | 0 | | | |
| Retired Militia Officers | 82 | 4 | 0 | | | |
| Lord Lieutenant's additional Salary for one Year to 25th December 1813, (with £.9,580 12*s.* 0½*d.* the Amount unappropriated on the Civil List, from 24th June 1812 to 24th June 1813) | 419 | 7 | 11½ | | | |
| | | | | 255,792 | 17 | 4¾ |
| | | | | 481,637 | 3 | 1½ |

## (F. 1.)—Bounties *paid out of the Public Revenue of Customs in the Year ending the 5th o Jan.* 1814, *being Payments in the nature of Anticipation of Exchequer Receipts.*

| | £. | s | d. |
|---|---|---|---|
| On Coarse Linen and Canvas exported | 16,523 | 12 | 1½ |
| Beef and Pork exported | 6,004 | 13 | 0 |
| Irish cured Fish exported | 59 | 1 | 3 |
| Irish refined Sugar exported | 315 | 14 | 8½ |
| Irish Fish Oil exported | 76 | 11 | 8 |
| Bark imported | 209 | 3 | 10 |
| Fishing Vessels | 4,503 | 11 | 5½ |
| | 27,692 | 8 | 0½ |
| Rewards for straggling Seamen | 10 | 17 | 9 |
| | 27,703 | 5 | 9½ |

## F. 2)—*Amount of Payments out of the Revenue of Excise for* BOUNTIES, MILITIA, ARMY *of* RESERVE, DESERTERS' WARRANTS, *&c. in the Year ending the 5th of January* 1814, *being Payments in the nature of Anticipation of Exchequer Receipts.*

| | £. | s. | d. |
|---|---|---|---|
| Bounties to Spirit Retailers on the Sale of Malt Liquors | 622 | 10 | 0 |
| Payments for Militia | 92,530 | 2 | 10 |
| - - Army of Reserve | 739 | 2 | 1½ |
| - - Deserters' Warrants | 646 | 0 | 0 |
| - - Fortifications | 814 | 3 | 3 |
| | 95,351 | 18 | 2½ |

## (G.)—*Monies paid to the Office of* ORDNANCE *in the Year to the 5th of January* 1814.

| | £. | s. | d. |
|---|---|---|---|
| or the Charge of the Office of Ordnance | 547,312 | 4 | 1 |
| )n account of Pay of retired Officers of the late Irish Artillery, and Pensions to Widows of deceased Officers of the same | 12,430 | 8 | 1 |
| uperannuated and retired Allowances to Persons late belonging to the Office of Ordnance in Ireland | 3,262 | 5 | 8 |
| | 563,004 | 17 | 10 |

## H.)—*Monies paid on Account of His Majesty's* FORCES *in* IRELAND, *in the Year ending the 5th January* 1814.

| | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| egiments of the Line | 846,854 | 5 | 0½ | | | |
| Iilitia | 1,155,164 | 7 | 5¼ | | | |
| olunteer Corps | 212,629 | 5 | 3½ | | | |
| Iilitary Hospitals | 19,233 | 19 | 11¾ | | | |
| oyal Military Infirmary | 4,543 | 5 | 5¾ | | | |
| fficiating Clergymen and retired Chaplains | 1,209 | 10 | 4½ | | | |
| | | | | 2,239,634 | 13 | 7¼ |
| ommissariat Establishment | | | | 209,466 | 9 | 2½ |
| arracks | | | | 363,306 | 13 | 5¼ |
| taff Officers and Officers of Garrisons | | | | 101,085 | 7 | 4 |
| alf Pay, Supernumerary and retired Officers | | | | 24,517 | 9 | 0¼ |
| fficers' Widows | | | | 6,088 | 10 | 2½ |
| oyal Hospital, Kilmainham | | | | 93,016 | 18 | 2 |
| ublic Officers, their Deputies, Clerks, and Contingent Expenses | | | | 10,965 | 12 | 6½ |
| uperannuated Officers | | | | 4,510 | 4 | 5¼ |
| | | | | 3,057,591 | 17 | 11½ |
| xtraordinary Service | | | | 54,717 | 3 | 9¼ |
| | | | | 3,112,309 | 1 | 8¾ |

## .)—*Payments in the Year ending the 5th January* 1814, *for* MISCELLANEOUS SERVICES.

| | £. | s. | d. |
|---|---|---|---|
| ublic Officers for several Services | 1,200 | 0 | 0 |
| ublic Hospitals and Schools | 179,226 | 10 | 5 |
| iscellaneous Services | 166,382 | 18 | 7¾ |
| ublic Boards | 173,457 | 5 | 6¾ |
| land Navigations | 10,309 | 5 | 6¾ |
| er at Ardglass, in the County of Down | 5,883 | 16 | 8 |
| | 536,459 | 16 | 10¼ |

## (K.)—*Payments from the* VOTE OF CREDIT *in the Year ending 5th Jan.* 1814.

| | |
|---|---|
| nount of Payments from the Vote of Credit | £.41,621 12 7½ |

# VI.—PUBLIC FUNDED DEBT.

## PUBLIC FUNDED DEBT *of* IRELAND, *as the same stood on the 5th of January* 1814.

| | British Currency. | | | Irish Currency. | | |
|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. |
| Sums raised | 81,915,700 | 2 | 11 | | | |
| PAYABLE IN DUBLIN: | | | | | | |
| £. 3 10s. per Cent. per Annum | - | - | - | 14,680,972 | 17 | 1 |
| £. 4 per Cent. per Annum | - | - | - | 227,600 | 0 | 0 |
| £. 5 per Cent. per Annum | - | - | - | 13,595,648 | 11 | 3 |
| PAYABLE IN LONDON: | | | | | | |
| £. 5 per Cent. per Annum | 1,900,000 | 0 | 0 | 2,058,333 | 6 | 8 |
| £. 3 per Cent. Consolidated Annuities | 36,835,125 | 0 | 0 | 39,904,718 | 15 | 0 |
| £. 3 per Cent. Reduced Annuities | 36,668,750 | 0 | 0 | 39,724,479 | 3 | 4 |
| £. 4 per Cent. Consolidated Annuities | 5,054,375 | 0 | 0 | 5,475,572 | 18 | 4 |
| £. 5 per Cent. Consolidated Navy Annuities | 572,000 | 0 | 0 | 619,666 | 13 | 4 |
| ANNUAL CHARGE: | | | | | | |
| Annual Interest | 3,944,519 | 6 | 8 | | | |
| Annuities on Lives or Terms of Years | 207,406 | 18 | 10 | | | |
| Pursuant to Act 37 Geo. 3, for Redemption of Debt then existing | 121,691 | 14 | 8 | | | |
| By Acts providing £.1 per Cent. for Redemption of Debts created since 1797 | 1,113,639 | 8 | 0 | | | |
| Management | 22,771 | 2 | 9¾ | Total Principal. | | |
| Total of Annual Expense | 5,410,028 | 10 | 11¾ | 116,286,992 | 5 | 0 |

## *An Account of the Progress made in the* REDEMPTION *of the* PUBLIC DEBT *of* IRELAND, *at the 5th of January* 1814.

| FUNDS. | CAPITALS. | | | Redeemed by the Commissioners from 1st January 1797 to 5th January 1814. | | | Total Sums paid. | | | Average Prices of Stocks. | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| 5 per Cents. | 15,569,797 | 18 | 4 | 1,833,187 | 17 | 3 | 1,639,096 | 18 | 3 | 89 | 8 | 2 |
| 4 per Cents. | 174,600 | 0 | 0 | | | | | | | | | |
| 3½ per Cents. | 14,680,972 | 17 | 1 | 4,339,222 | 8 | 4 | 3,204,072 | 4 | 4 | 73 | 16 | 9 |
| | 30,425,370 | 15 | 5 | 6,172,410 | 5 | 7 | 4,843,169 | 2 | 7 | 78 | 9 | 3 |

## *Sums Annually applicable to the* REDUCTION *of the* DEBT, *funded in Irish Securities.*

| | | | | £. | s. | d. |
|---|---|---|---|---|---|---|
| Annual Charge, per Act 37 Geo. 3, c. 27, for Redemption of £.5,829,156 13s. 4d. the Debt then existing | | | | 67,649 | 1 | 0 |
| Annuity of 1 per Cent. on £.24,596,214 2s. 1d. Capitals created from 1st January 1797, to 5th January 1814 | | | | 245,962 | 2 | 9 |
| Annuities for Years which have expired | | | | 54,042 | 13 | 8 |
| One per Cent. on £.2,508,940 5s. 6d. Treasury Bills, 1813, for Three Months, due 25th December | | | | 6,272 | 7 | 0 |
| One per Cent. on £.2,725,416 13s. 4d. Treasury Bills, 1814, for Nine Months, due 29th September | | | | 20,440 | 12 | 6 |
| | | | | 394,366 | 16 | 11 |
| Interest at 5 per Cent. on £.1,833,187 17s. 3d. Stock redeemed... | £. 91,659 | 7 | 10 | | | |
| Interest at 3½ per Cent. on £.4,339,222 8s. 4d. Stock redeemed... | 151,872 | 15 | 8 | | | |
| | | | | 243,532 | 3 | 6 |
| TOTAL | | | | 637,899 | 0 | 5 |

## VII.—UNFUNDED DEBT.

*An Account of the* UNFUNDED DEBT *of* IRELAND, *and* DEMANDS OUTSTANDING, *on the 5th Day of January* 1814.

| | £. | s. | d. | £. | s. | d. |
|---|---|---|---|---|---|---|
| LOAN DEBENTURES: | | | | | | |
| Residue of Debentures bearing 4 per Cent. Interest to the Year 1788, provided for by the 27 and 28 Geo. 3, but unclaimed by the Proprietors; viz. | | | | | | |
| Old Loan | 275 | 0 | 0 | | | |
| Loan by Lottery 1780 | 1,220 | 0 | 0 | | | |
| Loan by Lottery 1781 | 730 | 0 | 0 | | | |
| | | | | (a) 2,225 | 0 | 0 |
| EXCHEQUER BILLS: | | | | | | |
| Outstanding Exchequer Bills, provided for by several Acts of Parliament, but unclaimed by the Proprietors; viz. | | | | | | |
| Payable 24 June 1783 | 8 | 6 | 8 | | | |
| 24 June 1790 | 50 | 0 | 0 | | | |
| 24 June 1791 | 100 | 0 | 0 | | | |
| 24 June 1801 | 50 | 0 | 0 | | | |
| 25 March 1803 | 100 | 0 | 0 | | | |
| 25 March 1813 | 100 | 0 | 0 | | | |
| | | | | (a) 408 | 6 | 8 |
| Exchequer Bills, not in course of payment: | | | | | | |
| Issued pursuant to 51 Geo. 3, c. 22, payable 25 March 1815 | 293,750 | 0 | 0 | | | |
| 52 Geo. 3, c. 70, payable 25 March 1816 | 150,000 | 0 | 0 | | | |
| 52 Geo. 3, c. 90, payable 24 June 1814 | 500,000 | 0 | 0 | | | |
| 52 Geo. 3, c. 113, payable 24 June 1814 | 1,216,666 | 13 | 4 | | | |
| 53 Geo. 3, c. 61, payable 25 March 1817 | 235,000 | 0 | 0 | | | |
| 53 Geo. 3, c. 80, payable 5 July 1815 | 330,000 | 0 | 0 | | | |
| | | | | (b) 2,725,416 | 13 | 4 |
| LOTTERY PRIZES. | | | | | | |
| Outstanding Lottery Prizes of the several Lotteries from 1782 to 1801 | | | | (a) 25,848 | 0 | 0 |
| Total | | | | 2,753,898 | 0 | 0 |

(a) Provision has been made for these by several Acts of Parliament.
(b) To be provided for.

## VIII.—DISPOSITION OF GRANTS.

*An Account shewing how the* MONIES, *granted for the* SERVICE *of the Year* 1813, *have been disposed of, so far as relates to* IRELAND; *stated in Irish Currency.*

| SERVICE. | SUMS Granted. | | | SUMS Paid. | | | REMAINS. | | |
|---|---|---|---|---|---|---|---|---|---|
| | £. | s. | d. | £. | s. | d. | £. | s. | d. |
| Forces | 3,701,823 | 4 | 0 | 3,112,309 | 1 | 8¾ | 589,514 | 2 | 3¼ |
| Ordnance | 563,004 | 17 | 10 | 563,004 | 17 | 10 | | | |
| Public Officers for several Services | 1,200 | 0 | 0 | 1,200 | 0 | 0 | | | |
| Miscellaneous Services | 177,271 | 6 | 10 | 166,382 | 18 | 7¾ | 10,888 | 8 | 2¼ |
| Public Boards | 213,148 | 0 | 0 | 173,457 | 5 | 6¾ | 39,690 | 14 | 5¼ |
| Public Hospitals and Schools | 179,226 | 10 | 5 | 179,226 | 10 | 5 | | | |
| | 4,835,673 | 19 | 1 | 4,195,580 | 14 | 2¼ | 640,093 | 4 | 10¾ |

END OF THE FINANCE ACCOUNTS FOR 1814.

*Amount of Bank Notes in circulation, on the 7th and 12th of each Month; from December 1812 to February 1814; both inclusive: Distinguishing the Bank Post Bills; and distinguishing the Amount of Notes under the value of Five Pounds.*

| | | | Bank Notes of 5*l.* and upwards. | Bank Post Bills. | Bank Notes under 5*l.* |
|---|---|---|---|---|---|
| | | | £. | £. | £. |
| 1812. | December | 7 | 14,028,460 | 1,003,690 | 7,580,630 |
| | | 12 | 14,278,770 | 1,010,830 | 7,600,960 |
| 1813. | January | 7 | 14,146,300 | 970,610 | 7,648,790 |
| | | 12 | 17,117,640 | 996,150 | 7,834,640 |
| | February | 7 | 15,000,260 | 1,080,990 | 7,877,610 |
| | | 12 | 15,097,200 | 1,110,710 | 7,797,340 |
| | March | 7 | 14,307,720 | 1,008,890 | 7,695,260 |
| | | 12 | 14,604,340 | 1,003,230 | 7,697,660 |
| | April | 7 | 14,637,220 | 1,069,700 | 7,833,430 |
| | | 12 | 16,090,580 | 1,084,330 | 7,869,290 |
| | May | 7 | 15,608,010 | 1,067,730 | 7,796,140 |
| | | 12 | 14,804,210 | 1,064,350 | 7,779,540 |
| | June | 7 | 15,229,730 | 1,002,010 | 7,785,280 |
| | | 12 | 14,189,340 | 1,002,450 | 7,730,030 |
| | July | 7 | 13,849,540 | 956,790 | 7,876,260 |
| | | 12 | 15,777,790 | 998,680 | 8,027,060 |
| | August | 7 | 15,205,190 | 1,084,790 | 8,123,710 |
| | | 12 | 15,191,700 | 1,059,860 | 8,026,670 |
| | September | 7 | 14,939,190 | 1,058,500 | 8,028,340 |
| | | 12 | 14,459,600 | 1,042,530 | 8,098,130 |
| | October | 7 | 14,596,720 | 1,038,620 | 8,107,660 |
| | | 12 | 14,823,520 | 1,039,110 | 8,262,670 |
| | November | 7 | 14,416,290 | 1,056,910 | 8,179,640 |
| | | 12 | 15,372,090 | 1,034,330 | 8,097,430 |
| | December | 7 | 15,293,970 | 983,490 | 8,002,620 |
| | | 12 | 14,598,590 | 993,820 | 8,020,140 |
| 1814. | January | 7 | 14,490,730 | 947,470 | 8,233,220 |
| | | 12 | 16,650,910 | 1,008,570 | 8,347,520 |
| | February | 7 | 14,821,790 | 1,087,930 | 8,350,940 |
| | | 12 | 15,447,880 | 1,127,180 | 8,375,330 |

*Amount of all the Stamped* DOLLARS *and Silver* TOKENS *issued by the* BANK *of* ENGLAND, *from the 10th of December 1812 to the 1st of March 1814, inclusive;—distinguishing the Amount of each sort of Tokens; and specifying the Standard Fineness and Weight.*

| | | £. | s. | d. |
|---|---|---|---|---|
| Nil | STAMPED DOLLARS | Nil. | | |
| 3,008,983 | SILVER TOKENS, of 3*s.* each | 451,347 | 9 | 0 |
| 1,510,441 | Do. of 1*s.* 6*d.* each | 113,283 | 1 | 6 |
| | | 564,630 | 10 | 6 |

The Tokens are of the Dollar Standard.

The Weight of the 3*s.* Token is 9 dwts. 11 grs.

The Weight of the 1*s.* 6*d.* Token is 4 dwts. 17½ grs.

# DEBATE IN THE HOUSE OF COMMONS, APRIL 5, 1813, UPON SIR SAMUEL ROMILLY'S BILL ON THE PUNISHMENT FOR HIGH TREASON.

*Since the appearance of our 25th Volume, the following copious Report of the Debate on Sir Samuel Romilly's Bill on the Punishment for High Treason, has been published by Basil Montagu, esq. To the publication is prefixed the following*

## PREFACE.

THE punishment for High Treason is, "that the offender be dragged to the gallows: that he be hanged by the neck and then cut down alive; that his entrails be taken out and burned while he is yet alive; that his head be cut off; that his body be divided into four parts, and that his head and quarters be at the king's disposal."

The following extract is from Howell's State Trials, vol. 1, p. 1158:

"Ballard was first executed. He was cut down and bowelled with great cruelty while he was alive. Babington beheld Ballard's execution without being in the least daunted; whilst the rest turned away their faces, and fell to prayers upon their knees. Babington being taken down from the gallows alive too and ready to be cut up, he cried aloud several times in Latin, '*Parce mihi Domine Jesu!*'—Spare me, O Lord Jesus!—Savage broke the rope and fell down from the gallows, and was presently seized on by the executioner, his privities cut off, and his bowels taken out while he was alive. Barnwell, Titchbourne, Tilney, and Abington were executed with equal cruelty.

"On the next day Thomas Salisbury, Henry Donn, Edward Jones, John Charnock, John Travers, Robert Gage, Jerome Bellamy, were drawn to the place of execution.—The queen being informed of the severity used in the execution the day before, and detesting such cruelty, gave express orders that these should be used more favourably; and accordingly they were permitted to hang till they were quite dead before they were cut down and bowelled."

The following extract is from vol. 18, p. 351.

"The prisoner Townly was executed, according to his sentence, on Kennington Common, on Wednesday the 30th July, 1746. After he had hung six minutes he was cut down, and having life in him as he lay upon the block to be quartered, the executioner gave him several blows upon the breast, which not having the effect designed, he immediately cut his throat, after which he cut his head off; then ripped him open, and took out his bowels and heart, and threw them into a fire which consumed them; he slashed his four quarters, and put them with the head into a coffin, and they were carried to the new gaol in Southwark, where they were deposited till Saturday August 2d, when his head was put on Temple-bar, and his body and limbs suffered to be buried."

In the last session of parliament sir Samuel Romilly proposed that this law should be altered, and that, hereafter, the sentence should be, that the offender shall be hanged and his body be at the king's disposal.* This proposal was resisted, and

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* "A BILL *to alter the punishment of High Treason.*

"Whereas it is expedient that the judgment required by law to be awarded against persons convicted of High Treason, should be altered;

"Be it therefore enacted by the King's most excellent majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present parliament assembled, and by the authority of the same, That the judgment now by law given against persons convicted of High Treason, shall be no longer awarded; but that in lieu thereof, from and after the passing of this Act the judgment to be awarded against any person or persons, convicted of the crime of High Treason, shall be, that such person or persons, being so convicted or attainted as aforesaid, shall be severally drawn to the place of execution, and be there hanged by the neck until he she or they be severally dead, and that the body or bodies of such person or persons shall be at the disposal of his Majesty and his successors.

"And be it further enacted, that from and after the passing of this Act it shall be lawful for his Majesty and his successors, if he or they shall think proper, after the Bill was rejected in the House of Commons.

Whether this opposition originated in approbation of the existing law, or in the influence of party spirit, or in an opinion that more good must result from enquiry than evil from delay, will hereafter be discovered.

It is difficult to suppose that a law which requires "the tearing out the heart and bowels from the body of a human being while he is yet alive, and burning them in his sight" can be approved even by the ingenuity by which it was supported. The vulture is not the emblem of our religion. The politician, without any permanent interest to impede, has no power to subdue the mild spirit of Christian legislation. There are pebbles in the course of every stream. Philosophy, foreseeing the possibility of mischief in approaching innovation, has always taught that it is not good to try experiments in states except the necessity be urgent or the utility evident: but it has taught also, "that in a well-constituted comonwealth it is not wise to retain those laws which it is not proper to execute. A penal law not ordinarily put in execution seems to be a very absurd and a very dangerous thing. Such laws, as they must be defective either in justice or wisdom, or both, so they cannot exist without a considerable degree of danger. But we are told we may with perfect security trust to the manners of the age. I am well pleased with the general manners of the times; but the desultory execution does not depend on the manners of the times. I would, however, have the laws tuned in unison with the manners:—very dissonant are a gentle country and cruel laws: very dissonant that your reason is furious but your passions moderate, and that you are always equitable except in your courts of justice.*"

## HOUSE OF COMMONS.

*Monday, April 5,* 1813.

The Bill having gone through the Committee, after many alterations,

Sir *S. Romilly.*—I move that the report of the Committee be now brought up.

Mr. *Frankland.*—There seems to be a sort of fatality attending the discussion of these Bills of my hon. and learned friend. On a former evening we were unexpectedly pressed into a decision, and now, when I concluded that, as a matter of course, the debate was to be postponed till after the recess, we are called upon to decide, without any opportunity to reflect, whether, after the material improvements which have been made in the Committee, we may safely permit this alteration to be introduced in our criminal code. Thus situated, I must act for the best, and therefore move that the report be received this day six months. I am anxious, however, to be understood that the Bill, though yet defective, appears to me to have been much improved in the Committee; but there are yet objections which I consider insuperable:—Treason has, in all ages, whether ancient or modern, and by all people who have receded one step from barbarity, been watched as a crime fraught with consequences the most calamitous to society. It has been dreaded both from the mistaken zeal in which it originates, and from the merciless excesses into which it hurries the offenders. In the pursuit of his object, the traitor has ever been regardless of the road over which he must pass to attain it. To him power is every thing; the miseries which he inflicts are beneath his consideration. In his delusion to save millions he hesitates not to sacrifice thousands. He tramples upon the charities of private life. He is deaf to the cries of distress, and disregards the voice of justice. The forms of discipline and devotion do not stay his progress. He passes on:—he hastens to tumult and sedition, where, like death amidst tombs, he rejoices at the desolation around him.

Atrocious as this crime is regarded by every well regulated mind, its enormity must, from the very nature of the offence, be indistinctly seen by the community; partly from the mistaken patriotism to which it may be ascribed; partly from the remembrance that, to promote what he erroneously conceives to be public good, the offender sacrifices his private

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judgment upon any conviction or attainder of High Treason, by warrant under the hand of one of his Majesty's principal secretaries of state, to direct, that the person against whom such judgment shall have been awarded, instead of being hanged, shall be beheaded; and it shall be lawful for the sheriff or other person having the charge of executing the said judgment, to observe the directions contained in such warrant."

* Burke.

comfort and risks his life; and partly from the constant disposition in the community favourably to hear all men who reprove supposed disorders of state and teach that they are ill governed. For these reasons, and to counteract this evil and erroneous opinion, all nations have united in repressing treason by the most extreme and ignominious punishment. Why then is England, celebrated as she is for high and noble feeling, distinguished for a detestation of the blind fury of lawless ignorance, famed for a love of order and for the regulation of her conduct by the known rules of ancient liberty,—why, I ask, is England to be an exception to this practice of all civilized nations? Why, by confounding the punishments for high treason and common felonies, are we to efface all distinction between crimes so widely different?

I well know the excellent motives of my hon. and learned friend; but I should be wanting in my duty were I not to enter my protest against these mischievous attempts to unsettle the public opinion with respect to the enormity of these atrocious offences.—Why agitate these questions, when the punishment, though in appearance theoretically severe, is in reality practically humane? It is not however the non-existence of any practical evil, which is my only reason for dissenting from this proposal; I am satisfied that it is theoretically bad; that this theory has been reduced to practice,—has been tried and found wanting. This fancied lenity has been productive of the most deplorable cruelty.—At the commencement of the French Revolution, the leaders, with humanity and the rights of man always on their lips, would not permit any indignity to be offered to the body of the most atrocious offender. Simple death was their highest punishment for the highest offences. Do we forget the deluges of blood, which, to the eternal disgrace of that unhappy country and of human nature, flowed from their humanity? If the painful, I may say disgusting, formalities required by the English law, and known to the French law before the humane revolution, had been prolonged in France, could they have destroyed their thousands in a morning? What spectator would have attended such carnage? What time would have been sufficient for their barbarities? In the present French code this error has been rectified. In the code Napoleon treason and parricide are assimilated. The hand of a child, which is raised not to succour but to murder his parent, is struck off before the sentence of death is executed. The sentence and punishment for high treason and parricide are the same. In England this mutilation, the infliction of pain upon the offender, is avoided; and our sentence, without producing suffering in the criminal, is calculated to excite disgust against the crime. Our ancestors, feeling the associations of our nature, adopted these expedients, which the wiser moderns, having traced the laws of our ideas and discovered that we are not influenced by any association, are desirous to abolish. But I am sure this House will pause before it sanctions any of these innovations, before it tolerates any alteration of a law by which good results to the community and no additional pain is inflicted on the offender. The passion of shame is a power by which all legislators have endeavoured to prevent the gratification of every other passion. It has been used to preserve order amongst a lawless crew. In Egypt, when suicide sadly prevailed, when the fear of death almost ceased to exist, the women were deterred from self-sacrifice by a law which declared that their bodies should be publicly exposed after their death.*—Montaigne, who will not be suspected of any attachment to severity, mentions an execution at Rome at which he was present, when the spectators witnessed without any emotion the mere infliction of death; but when the body, the dead body, was treated with indignity, there was an universal sympathy, producing shrinking expressive of horror.* Mr. Justice Blackstone too, who has been so often cited in support of the alteration of our penal code, says,—"Disgusting as this catalogue may seem, it will afford pleasure to an English reader, and do honour to the English law, to compare it with that shocking apparatus of death and torment to be met with in the criminal codes of almost every other nation in Europe."†

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* It is not known to what Mr. Frankland alluded: the following is from Plutarch: " A certain dreadful and monstrous distemper did seize the Milesian maids, arising from some hidden cause. It is most likely the air had acquired some infatuating and venomous quality that did influence them to this change and alienation of mind;—for, all on a sudden, an earnest longing for death, with furious attempts to hang themselves, did attack them, and many did privily accomplish it. The arguments and tears of parents and the persuasion of friends availed nothing; but they circumvented their keepers in all their contrivances and industry to prevent them, still murthering themselves: so that the calamity seemed to be an extraordinary divine stroke, and beyond human help, until the counsel of a wise man was by record passed into an act of the senate:—viz. 'That those maids that hanged themselves should be carried through the market place.' This ratified law did not only inhibit, but quashed their desire of slaying themselves.—Note,—What a great argument of good nature and virtue this fear of disgrace is, that they that had no

As a reason to recommend these Bills to our notice, it has been stated by my hon. and learned friend, that the present law ought not to stand upon our statute book, because in practice we have ceased to resort to it. This, too, is one of the happy discoveries of the present age to which I, for one, will never assent. I do contend that the mere disuse of a law is no reason for its abolition. On the contrary, it may be the strongest reason for its continuance. Its operation, by the consciousness of its power, may be far more salutary than by its direct use. Dead to infliction, our decrees are not themselves dead. Because the sword of justice has not been used for a century, are we to destroy it? Are we to throw sword and scabbard into the ocean? Because the edge has not for years been tried, are we to blunt it? Does not the passenger walk with caution when he is passing the sleeping lion? I am sure, Sir, I shall not be misunderstood by the House nor by my hon. and learned friend, when I repeat, that the mere disuse of a law is no reason why it should be abolished. If the law is bad, let it for its defects be abolished; but let us not presume that it is bad because we do not see its utility.

I am concerned, Sir, to be obliged so often, and at such length, to trespass upon the attention of the House.—I will now sit down, after having again implored my hon. and learned friend to reflect upon the injurious consequences which must result to society by these attempts to convert law from feeling and sentiment into a matter of cold calculation. Men act from their feelings, and when they calculate under temptation they have hitherto been sure to err. Under the influence of strong desires we have ears more deaf than adders to the voice of any true decision. I therefore implore my honourable, excellent, and learned friend to desist from these attempts. But if he do persevere, I am confident that this House will not sanction alterations of a system which is founded on wisdom and justice, is hallowed by its antiquity, and mitigated by the humanity with which it is executed. I move that the report be received this day six months.

Sir *J. Newport.*—The hon. gentleman wishes then, if I rightly understood him, that the present law with all its barbarities should remain unchanged. How these wishes can be reconciled with his declaration that he approves of the alterations which have been made in the committee, must be left to the ingenuity of the hon. gentleman to explain. To me this appears wholly inconsistent. I should have thought that approbation of the alterations made in the committee, was in itself an acknowledgment that the disgusting severities of the existing law ought not, in the opinion of the hon. gentleman, to stain our penal

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dread on them of the most terrible things in the world, viz. death and pain, could not endure the fantasie of an immodest thing, no not to be exposed to shame after death!"—Plutarch's Morals, vol. i. p. 381.

* Little did Montaigne suppose that he should ever be cited in recommendation of severity; Montaigne, who says that cowardice is the mother of cruelty, and who, in this very Essay on Cruelty, b. ii. c. 11. to which Mr. Frankland referred, says, "For my own part, I cannot, without grief, see so much as an innocent beast pursued and killed. It frequently happens that the stag we hunt, finding himself weak and out of breath, surrenders himself to his pursuers, and implores mercy by his tears. It has ever been to me an unpleasing sight, and I hardly ever take a beast alive, that I do not presently turn out." This instance cited by Mr. Frankland, is stated by Montaigne, not as a reason for exposing the dead, but to prevent the torture of the living. He says, "The savages, in roasting and eating the bodies of the dead, do not so much offend me, as those who torment the living. Inhuman excesses ought to be exercised upon the bark, and not upon the quick."

† See vol. iv. chap. 29.

de; and, calculating upon such con-
stency, I did expect that, instead of
lling upon the House to reject the hu-
ane proposal of my hon. and learned
iend to whom we are indebted for the
gitation of this question, the House would
ave been requested to sanction the Bill
ter its defects had been supplied by the
nendments of the committee. But, with-
ut any motion to re-commit, and without
aving been favoured with the sentiments
f the hon. gentleman in any former stage
f the proceedings, we are now called
pon wholly to reject the Bill, and for
asons which, if they exist at all, existed
ith greater force when the measure was
rst proposed to our consideration.

It is not my intention to occupy the
me of the House in tracing the atrocities
f the French Revolution, or the different
ystems adopted by the successive govern-
ents from the code of the National Con-
ention to the code of Napoleon, with
hich the hon. gentleman seems so much
elighted. I cannot think that the times
f revolution are the most appropriate for
e selection of precedents applicable to
e times in which we live. I cannot
ink that the measures proposed by my
on. and learned friend will derive any
ssistance, or experience any formidable
pposition, by precedents adduced from a
ss fortunate country convulsed by revo-
ution. There appear to me to be two,
nd only two questions for our considera-
on: 1st. What is the existing law? and
dly. What is the proposed remedy? The
xisting law is as follows:—That the of-
nder be drawn to the gallows, and not
e carried or walk. That he be hanged
y the neck, and then cut down alive.
hat his entrails be taken out and burned
hile he is yet alive. That his head be
ut off. That his body be divided into
ur parts, and that his head and quarters
e at the King's disposal.

Doubt seems to have been entertained,
d in the committee it was stated by one
n. gentleman (Mr. Yorke) that this law
as never carried into effect; that, severe
it is in appearance, it is nothing but
pearance; it is a dead letter upon our
atute book. These doubts have been
ost painfully answered by my hon. and
arned friend, who has told you again
d again, that it was executed so late as
e year 1746 upon Mr. Townly—(No,
, from ministry; Hear! hear! from
pposition)—I say it was executed in the
ar 1746 upon Mr. Townly; and as
doubts seem yet to exist, as my friend has been misunderstood, it appears to me that it will be best to refer to the account as reported in the State Trials. It is as follows:—

"The prisoner Townly was executed, according to his sentence, on Kennington Common, on Wednesday the 30th July, 1746. After he had hung six minutes he was cut down, and having life in him as he lay upon the block to be quartered, the executioner gave him several blows upon the breast, which not having the effect designed, he immediately cut his throat, after which he cut his head off; then ripped him open, and took out his bowels and heart, and threw them into a fire which consumed them: then he slashed his four quarters, and put them with the head into a coffin, and they were carried to the new gaol in Southwark, where they were deposited till Saturday August 2d, when his head was put on Temple-bar, and his body and limbs suffered to be buried."—State Trials, vol. 18, p. 351.

The reluctance to believe that this country has been so recently disgraced by such barbarities, is to me a convincing proof that there is one unanimous sentiment in the House; that there is not a member in this House who does not concur with me in thinking that the sentence ought not to be executed. Why then suffer it to remain a part of your penal code? Why suffer your existing law to be thus contaminated? The remedy proposed, is to remove this dead letter, which, without the possibility of producing any good, has the bad tendency of exciting a spirit of sanguinary legislation. I shall most conscientiously vote for the motion of my hon. and learned friend.

Mr. *Fitzgerald*.—The charge of inconsistency made by the hon. baronet against my hon. friend, who has proposed that the report be received this day six months, has much of confidence but little of truth in it. My hon. friend has to this hour been consistent from the dawn of these attempted innovations; he has invariably resisted them, and now, in support of his opposition, has to my mind adduced the most cogent and irresistible reasons in the very able speech which we have just heard. The hon. baronet places much reliance upon the case of Mr. Townly, which to him appears to be satisfactory proof that the legal sentence for high treason was in 1746, and would now be executed. But of the correctness of this inference I cannot but entertain considerable doubt. Does it follow, because this unfortunate malefactor was cut down five minutes after his execution, that he was eviscerated when alive? Might he not have been dead when he was cut down? or, if alive, might not some time have elapsed before the last part of the sentence was executed? Why are we to conclude that this was a severe instead of a mild execution of the sentence? The hon. baronet is certainly at liberty to entertain this supposition; he may conclude that life was not extinct; but the same liberty which he assumes for himself he will grant to me, and I have arrived at a very opposite conclusion. Admitting, however, for the sake of argument, that the hon. baronet is right; admitting that, in one solitary instance amidst numerous executions, the law took its regular course, are we to infer that it is in general executed? or ought we not to be satisfied, from the impossibility of adducing another example, and from the reliance which is placed upon this case, that the law is not executed? But, Sir, without inquiring whether the hon. and learned gentleman who has proposed this Bill to the consideration of parliament can adduce another proof of the execution of the law, I ask whether it is not one thing to legislate *de novo*, and another to innovate upon laws which have existed for centuries?—If it were now for the first time proposed to the legislature to legalize this sentence, although I am satisfied that there ought to be some peculiar brand of disgrace affixed to the punishment for this atrocious offence, I might object to sanction this peculiar infliction. But the law has existed from time immemorial; it has been attended with such salutary effects, that we are now obliged to look back almost for a century for any instances of the crime which it was framed to prevent, and which has been prevented; and there now is not any practical evil attendant upon the law. I, therefore, shall vote for the amendment of my hon. friend, in opposition to the motion of the hon. and learned gentleman, which, as I conceive, cannot be productive of any practical good, but must be attended with the serious practical evil of fixing a stigma upon the judges, to whom the country is so much indebted for the impartial and just administration of our laws.

Mr. *Courtenay.*—I cannot with any satisfaction to myself give a silent vote upon this occasion. It appears to me to be a subject of great importance; and if the question be rightly understood, I am much mistaken if any serious doubt will be entertained upon it. The question appears to me to be, not whether the sentence ought to be executed,—not whether the malefactor ought to be cut down and embowelled alive,—for could there be a dissenting voice upon such a proposal? but it is, whether the sentence should continue a part of the law, though it is admitted that it ought never to be carried into execution? I cannot think that any gentleman will consider this sentence to be any apparent improvement of the spirit of our laws; and I cannot, after the instance of Mr. Townly, suppose that any gentleman will not deem it at least possible, should the country ever again be convulsed by the agitations of turbulent and malignant passions, that the same sad spectacle may again recur. I therefore consider the conclusion irresistible. I think that this law ought not to continue upon our Statute Book.

In mentioning the case of Mr. Townly, it appears to me to be but justice to my hon. and learned friend (sir S. Romilly) to say, that he seems to me to have been misunderstood by some of the hon. members who spoke in the Committee and by the hon. gentleman who just sat down. It has been supposed that my hon. and learned friend intended to impress upon the House that this unfortunate man was embowelled alive. In being compelled to remind you of this execution, my friend had not any such intention. I understood him to say directly the contrary. I understood him to say that he was cut down alive, and that the executioner, to prevent the sad necessity of proceeding in the completion of the sentence, struck and killed him. I ask you, gentlemen, whether this is a proper state for the law of your country? I ask, whether the humanity which remained in the breast of the executioner was not the only reason why your law was not executed? This executioner, whose office it was, for emolument, to hang the offender, behead and embowel him alive, had too much kindness to execute a law which the gentlemen who oppose my excellent friend are desirous to support. I do most seriously lament that in this House, and in these times, in an English House of Commons, in the 19th century of Christianity, one voice has been heard in favour of such severity; and I cannot but express my sorrow that ingenuity has been perverted and ability misapplied in such a cause ; for I must concur with the hon. member who spoke last, in saying that the speech of the hon. gentleman by whom the amendment has been proposed, is entitled to the epithets of able and ingenious. Whether it was prudent, whether it was discreet and judicious, to refer to the French Revolution, is a very different consideration. But, be this as it may, I do call upon the House to say, whether this is a proper state of the law : whether the legislature of England ought to trust the measure of this extreme punishment to the discretion of the executioner ?

It has been said, that although the alteration of the law may in itself be proper, the present time for such alteration is improper. It has been contended more than once this night, that we ought to wait till, from the discovery of some practical evil, the interference of the legislature becomes necessary. Can any gentlemen seriously think that a moment of tranquillity, when, to our great happiness, we are free even from the thought of disturbance, is not of all moments the most auspicious for this amelioration of our law ?—Are we to wait till men's minds are inflamed, till a horrid sentence against a horrid crime is about to be executed, and then stop the hand of the executioner, or trust to his discretion? Are we now to forget that such an interference, at such a moment, may be perverted into a sort of approbation of the crime? Ought we not to discharge one of our best duties—the duty of preventing, in times of tranquillity, any excesses into which the blindness of ignorance or the impetuosity of rage, may be hurried in times of convulsion ? I am much mistaken if there is any member of this House more averse than myself to hasty innovation. I have long been deeply impressed with the conviction, which can never be too often repeated, " that to innovate is not to reform ;" but when the way is clear before us, when no possible evil can result, ought we not to avail ourselves of every opportunity to assist the progress of humanity ?—are we to be deterred by idle fears, and to be intimidated by empty sounds ? What evil can result from erasing a law which you cannot and ought not to execute ? I ask, what evil can result from the erasure of such a law ? I ask, whether such an innovation is not to reform ?

My learned and hon. friend, to whom the country is so largely indebted for his exertions, is accused of acting upon what is termed a system. He is acting upon a system : and if it be a reproach to him to risk his health ; if he deserve censure for sacrificing his private interest to the hope of contributing to the public good ; if he is culpable for disregarding the rewards inevitably attendant upon every moment's employment of his great professional talents—he is indeed most guilty : upon accusations of this nature he has not been such an inattentive observer of mankind as not to have calculated :—but he will not be deterred by them ; he will persevere in this system ; and, by continuing to pursue the best ends by the best means, he will, I trust, live to enjoy the reward of his virtues, by seeing the blessings which he has conferred upon his country and mankind. But without pledging myself, as I am sure my friend does not wish any gentleman to pledge himself, to any system, I will do what he is desirous that you should do—I will exercise my judgment upon the measure now before the House, and, approving it, I will vote for it.

I am sorry to trespass so much at length, but I am desirous to say one word respecting the supposed stigma upon the judges. What ?—an attempt by the House of Commons of England to meliorate the law of England a stigma upon the judges of England !—How can such an idea have entered the mind or misled the imagination of any man ? And if such an opinion do exist, is it not unfounded, and ought it not at once to be eradicated ? The judges are the ministers, not the makers of your laws ; and they have no cause to complain, unless it is that you compel them to be the organs of pronouncing a sentence which you cannot execute, and which, if it were to be executed, would be a greater torture than it now is to them to utter. I wish to deprive them of this sad necessity, and that they and all of us may trust to the discretion of the law rather than to the discretion of the executioner. I most heartily approve of the Bill; I most anxiously support it, and shall most conscientiously vote for it.

Sir *William Garrow* (Solicitor General). The Bill having been much improved in the Committee, I could have wished that this motion had not been pressed upon the House, as by postponement we might have been better able to determine whether the proposed alteration of the law was likely to contribute to the welfare of the country; but called upon thus hastily to decide, I can have no fear in supporting our ancient law. I can have no hesitation in supporting the amendment made by the hon. and learned gentleman, who has moved that the report be received on a distant day.

In the few observations which it is my intention to submit to the House, I will consider the Bill, 1st, as it stood before it was committed; and 2dly, as it has been altered in the Committee. When the Bill went into the Committee we were called upon to sanction, what I am certain this House will never approve, an alteration of the law, by which a less punishment would have been inflicted for high treason than for many inferior crimes far less calculated to disturb the tranquillity of society. I can scarcely conceive any greater evil than such an expedient,—an evil by which in common minds, the gradations of iniquity will be confounded, and vice excited to the commission of great crimes, by our not distinguishing them from less atrocious offences.—To preserve this distinction, this country and all civilized nations have in all times marked different crimes with different signs of reproach and disgrace. Upon the murder of a subject, the rights of sepulture are withheld from the murderer, and his body is exposed either by being hung in chains or by being dissected and anatomized. In the case of suicide, if the jury determine it was felonious, the offender is buried in the public road, and a stake is driven through his body.—In the case of high treason, the prisoner is entitled to a copy of his indictment and a copy of the pannel of jurors. He has the same compulsive process to bring in his witnesses for him as can be used to compel the attendance of witnesses against him, and he has a privilege extended to no other felony,—he may be heard by his counsel in his defence. These precautions have been granted to prevent an obscure individual from being oppressed by power. But if, after all these indulgences, he is convicted, ought not authority to be protected from the violence of the subject? Can government exist without such protection? Ought a greater disgrace to be attached to the murder of the meanest subject than to the murder of a virtuous king? Are the safeguards, are the ancient landmarks, the bulwarks of the constitution, thus hastily to be removed?

The question now before the House is not, it must be remembered, whether we are to make a new law, but whether we are to repeal an old law?—questions which, whatever be their apparent resemblance, are in reality totally different. If I were to be asked whether, if a law were now for the first time to be enacted to fix the punishment of high treason, I should consent to a law declaring that the offender "be dragged to the gallows; that he be hanged by the neck and then cut down alive; that his entrails be taken out and burned while he is yet alive; and that his body be divided into four parts;" if it be necessary for me to inform any honourable and learned gentleman, I am sure it is not necessary for me to say to any of my friends, that I am one of the last men existing to sanction such a sentence. But does it therefore follow that I should consent to alter the law which has been established for centuries? (Hear! hear! from the opposition.)—I am pleased at these sounds which are so joyfully vociferated; I am well aware of the concessions which I appear to be making, and the gentlemen are fully welcome to all their fancied advantages.—I repeat (Hear! hear!) notwithstanding these exclamations, I repeat, "Does it therefore follow that I should consent to alter the law which has been established for centuries, and which is not attended with any practical evil?" for I am sure that in this House no general inference will be deduced from the solitary instance so triumphantly cited of the execution of Townly. I am not disposed to deny it.—It is possible that the executioner might have cut him down a short time before he expired, and it is possible that he did not handle him with great tenderness or strike him so as to procure instant death. But are we to legislate from this insulated instance? and that it is only a solitary instance I may with safety infer by the non-production of any other account from the various executions, and from the eagerness with which I make no doubt these accounts have, for these humane Bills, been most industriously explored. It has been truly said that the beneficial effects of this law may be discovered in its salutary operation by terror; and, if any gentleman doubt this, it may be some satisfaction to him to know that the very last offender upon whom this sentence was pronounced, I mean colonel Despard, declared that the exposure of his dead body was to him more distressing than the sentence of death itself. When I state that this law operates beneficially by terror, I must not be told, as the House was told a few nights since, by an extract from some book of travels, that this is the common pretext of lawyers and judges in every part of the globe. Nor can I patiently hear such aspersions upon the profession. I must not be told that lawyers and judges have always been foremost to resist such humane bills as these which have been so repeatedly and unsuccessfully submitted to parliament by my hon. and learned friend. I must not be told that if, in the conscientious discharge of my duty, I vote against these very humane measures, I am influenced by motives less pure than the very pure motives of the very enlightened mover of these Bills, to whom the country is so much indebted; nor shall I be hurt by being involved in the same liberal censure which supposes it to be impossible that even the bishops can be actuated by pure motives because they happen to differ from the very enlightened mover of these Bills, and refuse to sanction these innovations. I know myself too well to be thus deterred. (Hear! hear!) You may cheer, gentlemen. I am aware of my concessions:—I give you all the advantages which you can make of my imprudence.

But to return from this digression.—If the sentence had originally been different; if it had been the sentence now proposed, I should have willingly concurred in its continuance or adoption. (Hear! hear!) I tell you, gentlemen, you are very welcome to all these advantages; but I will not consent to innovate merely because the law has a bad sound, and in its harmony does not please my honourable and learned friend. It was said by the hon. gentleman who spoke last, that the continuation of this law left the infliction of the punishment to the discretion of the executioner: but this is certainly a mistake; for in cases of this importance the punishment is not inflicted, as in ordinary cases, by the common vulgar executioner, but a proper person is selected, and the executions are so numerously attended that there can be but little reason to dread any improper exercise of power, even if such power were intrusted to this officer. But the fact is, the sentence is never carried into effect. In colonel Despard's case the King, if his Majesty had thought proper, might have fixed his quarters upon the four gates of the city. But lenity was extended to him; and his body, instead of being mutilated, was restored to his relations. What was the consequence?—It was carried with great pomp and deposited in the cathederal of St. Paul's. A dignitary of the church, who accidentally happened to pass the hearse, supposing it to be the last mark of respect shown by the lovers of virtue to departed merit, stopped and instinctively pulled off his hat till the funeral passed on; to his great surprise he was informed that it was the funeral of colonel Despard, who had that morning been executed as a traitor to his King and country.

Such was the nature of the Bill as it went into the Committee. It certainly has been much improved; but it still appears to me to be so objectionable that I must vote for the amendment, and, that I may avoid the censure upon my silence in the last debate, I have thought it right not to give a silent vote upon this occasion.

Mr. *Ponsonby*.—I have listened with all the attention which I have been able to command, to the speech of the hon. and learned gentleman who has just sat down, although it appears to me to be a speech not upon the question now before us, but upon some question which the hon. gentleman, unless I am much mistaken, thought, before he entered the House, would have been the subject of the night's discussion. The alteration in the committee unfortunately rendered it inapplicable. But as it would have been a very proper speech in some former stage of the Bill, we are indebted to the learned gentleman for his kind determination that the result of so much thought should not be lost, replete as it was with commendations of the excellencies of our penal law, and of the pure motives by which the hon. gent. is actuated. I cannot think that there was any necessity for such an eulogium upon merits of which we now must all be deeply impressed; as upon this night, and upon every former occasion, when we have been so fortunate as to hear the learned gentleman, we have had the most satisfactory proof of his pure and noble disposition,—proof by which the most credulous must be confirmed and the most sceptical must by the best evidence be convinced—the evidence of the hon. and learned gentleman's own commendations of his own virtues.—(Universal laugh.)

Amidst these eulogies upon the penal law of England, we have been informed that this sentence is one of the safeguards of the constitution! To throw the bowels of an offender into his face, one of the safeguards of the British constitution!! It is rather extraordinary that this discovery has hitherto escaped the notice of the numerous authors and critics upon the excellencies of a system which is the pride of our country and the admiration of the world. I think I cannot be supposed desirous to remove any of the safeguards of the British constitution; but I ought to confess that until I this night heard of this discovery, I was so much in ignorance—I saw so darkly—as to suppose that a proposal to remove this bulwark would in this House, and in these enlightened times, have been received with an universal joyful acclamation. I should have thought that in the nineteenth century a British House of Commons would unanimously have said, "If it be true that by one of our laws a criminal may be cut down alive and tortured, this law ought to be abolished." But, I, to my sorrow, am mistaken, and it has become necessary to examine what have been adduced as reasons for its continuance.

These reasons, unless some escape me, are, the removal of ancient landmarks; the salutary operation of terror; and the impropriety of altering a law because it is a law. I think I do not omit any of the topics which have been urged by the hon. gentleman.

The hon. gentleman implores us not hastily to remove this landmark,—this protection derived from our ancestors. Without any inclination to diminish the merit due to our ancestors; with a strong recollection of the noble stands which they have made to secure the blessings which we now enjoy from their manly exertions, and with a proud remembrance of their lofty spirits,—I will, without any disparagement, venture to ask the learned and hon. gentleman, whether he seriously supposes that our ancestors 800 years ago possessed all the knowledge that is now diffused amongst us? Does he think that knowledge is not progressive; or does the honourable gentleman think that rude and martial times were more favourable to legislation than the leisure with which the civilized world now abounds? Is the hon. gentleman unmindful of the art of printing? of the traversed bosom of the ocean and of the world? of the excellent monuments of our authors, which as so many lights shine before us?—or does he forget the inseparable property that attends time itself, which is, ever more and more to disclose truth? I hope the hon. gentleman will pardon me for saying that we cannot better manifest our respect for our ancestors than by endeavouring to improve upon the foundation which they have laid. I am sure the hon. gentleman cannot wish to preclude our successors 800 years hence from all the information which they will derive through this long interval.

The efficacy of this law—I ought to say of this bulwark of the constitution—consists, we are told, in its operation by terror, and that the effect of this operation was evinced upon the trial of colonel Despard. As to the operation of terror, I trust that the House will not be misled by this common pretence which has in all ages been adduced in support of severity;—a plea which on a former evening was most aptly exposed by my hon. and learned friend in an extract from the work of a celebrated traveller, that seems to have given so much offence to the hon. gentleman; but which, notwithstanding his prohibition, I hope, as a member of parliament, I may be permitted to repeat. It is in Barrow's Travels in Africa, where, speaking of the Cape of Good Hope, he says: "Few die by the hands of justice. In the last eight years 110 have been sentenced to death; 38 of whom were publicly executed, and those were chiefly slaves: the rest were condemned to labour during life at the public works. The confession of a crime, where strong and concurring testimony could not be produced, was sometimes extorted by the torture; and breaking on the wheel was a capital punishment. These were said to be seldom put in practice; yet at the time they were abolished by order of his Majesty, the court of justice urged the necessity of their continuance, as proper engines of terror for preventing the commission of capital crimes, which they thought simple strangling with a cord would be insufficient to effect. Contrary, however, to the opinion of the court of justice, there have been fewer executions since the abolition of the rack and torture than had taken place in an equal period for many years before; so much so indeed, that one of the public executioners made an application for a pension in lieu of the emoluments he used to receive for the breaking of legs and arms."—This passage, so offensive to the hon. gentleman, is stated to have been cited by my hon. and learned friend, for the purpose of aspersing the character of his profession,—for the purpose of stigmatizing the different members of the law and the magistrates, so justly distinguished for their upright and merciful administration of justice. Without murmuring at this sensibility of the hon. gentleman thus alive to the possibility of imputations, I ask what authority he has to make such an assertion? I ask whether he forgets the whole professional life of my hon. and excellent friend?

Sir *W. Garrow.*—It was so taken out of doors.

Mr. *Ponsonby.*—Then why mention such idle reports in this House? Could any man, whose zeal did not influence the plain dictates of his understanding, for an instant suppose that my learned and hon. friend was disposed to vilify a profession in which, with so much honour and distinction to himself, he has passed the whole of his laborious and virtuous life? Who could suppose that he of all men would rise in his place in this House to wound the many friends who are so fortunate as to live with him in habits of intimacy? Does the hon. gentleman really suppose that he has a more deep feeling than my hon. friend,—a more clear insight into the extent of knowledge, the great ability, the spirit of independence, the liberality of sentiment, and the unsullied integrity of the bar and of the bench?—I am sure there cannot be two men in the country who entertain such an opinion. My hon. and learned friend well knows the virtues of his profession; and I hope the hon. gentleman now new in office will pardon me for reminding him, that power has a tendency to shape the possessor; that it has always been supposed desirous to govern by terror rather than persuasion: that authority has ever been unwilling to assign any other reason than its own will; and that it would rather maintain the most equitable claims by violence and penalties than descend from the dignity of command to dispute and expostulation. Let me remind him that these sentiments ill become the sanctity of a deliberative assembly, endeavouring, by public wisdom, sincerely and calmly to study public happiness. With respect to the instance adduced by the hon. gentleman from the punishment of colonel Despard, I shall content myself with saying, that I have endeavoured, but in vain, to discover the propriety of the learned and hon. gentleman's illustration, as colonel Despard, instead of having been deterred, committed and was executed for the very crime from which this punishment is supposed to have intimidated him.

The hon. and learned gentleman has said, that if he were to legislate *de novo*, he, of all men existing, could be least suspected of a disposition to sanction such a law. He has triumphantly, and with a laudable consciousness of his own kind dispositions, exclaimed,—"I would be the last to introduce such a law." Why, then, let me ask, is he the first to continue it? Does he suppose that there is any duty attached to the high office which he fills, by which his duty as a legislator should be warped? Does he suppose that it is incumbent upon him to support obnoxious laws? Would not this reason have been in all ages, and would it not now be applicable to any law, however objectionable, which may disgrace our statute book? I have now before me the statute 'de hæretico comburendo.' When, in the reign of Charles the second, it was proposed to abolish this merciless law, which originated in superstition and was dictated by ignorance of legislation, did the Solicitor General of those times exclaim, "You are removing one of the bulwarks of the constitution: I indeed should be one of the last to introduce such a horrid law; but I am proud to be the first to continue it?" If we were now under the sad necessity of proposing to abolish torture, to destroy the rack and the wheel, or any of those savage expedients by which unenlightened men intrusted with power have ever imagined that they could restrain human actions, would the hon. and learned gentleman appear in his place and say—"You are removing one of the bulwarks of the constitution? I indeed should be one of the last to introduce such horrid laws; but, finding them on our statute book, and sanctioned by our ancestors, I will not consent to their alteration?" I cannot think he would appear in this character. He would then be amongst the foremost to proclaim, that cruelty in the law has a tendency to produce cruelty in the people; that harsh governments have ever been noted for barbarity in the subjects. He would remind us that the atrocities which, to the debasement of human nature, disgraced the French Revolution, could not have existed in all their horrid forms, if the wheel had never been seen, if the torture, the rack, and the cries of the sufferers had never been heard in that country. Let me assure the hon. and learned gentleman, that the question now before us does not differ from these inquiries respecting the writ 'de hæretico comburendo,' or those engines of torment which, by the progress of human knowledge, have long since been destroyed. Let me assure him that whatever may be the purity of his motives, he would stand higher in the opinion of his country, if, instead of thwarting and opposing these measures proposed by my hon. and learned friend, he came forward with alacrity to second and support them.

That the learned gentleman's observations might be introduced to the House, his speech was divided into two parts,—the one applicable to the Bill as it went into the Committee; the other applicable to the Bill as it was altered by the Committee, and as it is now before us. As these alterations seem not to have been anticipated, the observations of the learned gentleman have been few. The objectionable part, he says, has been removed in the Committee, but he cannot relinquish a law which has such a salutary operation by terror. This is his plea for clinging to the sentence, and he admits that the only instance which he can adduce to warrant this attachment is the inapplicable instance of colonel Despard.

Sir *W. Garrow.*—I do not admit, because I have cited but one instance, that only one instance can be found. The terror, by acting in the infancy of guilt, when innocence is first exposed to temptation, may deter thousands.

Mr. *Ponsonby.*—Be it so: I say as no other instance is adduced, I with the learned gentleman may infer that no other instance exists; and with him, in his prayer that no blame may be attached to those who contend for ancient privileges, I shall conclude by asking, that no blame may be attached to those who think that this privilege of embowelling alive ought to be abolished.

Mr. *Bathurst.*—I am sure the hon. gentleman who has just sat down cannot seriously contend, because my hon. and learned friend the Solicitor General has cited but one instance to prove the effect of terror in deterring from this offence, that it has not any general operation in preventing the commission of this crime; and I cannot think it consistent either with his liberality or sense of justice to call upon my hon. friend to adduce other instances, or abandon his conclusion that the punishment is beneficial. It cannot be necessary for me to remind the hon. gentleman that crimes are with most efficacy prevented in their infancy; that, by associating terror with criminal actions, youth may shrink even from criminal thought. To call for instances of the operation of terror, is to call upon my friend to trace the recesses of guilt and explain how infancy recoils from the thought of crime, and how, barring all side pretences, it resolutely perseveres in the path of virtue. That hanging a murderer in chains and exposing his body to the parching winds has had a great effect in preventing this crime is indisputable; not indeed by its immediate effect upon hardened iniquity, but by preserving through the community a holy indignation against this horrid offence. Is it reasonable to conclude that it has not this effect, because instances of its immediate action cannot be adduced? Or is it not more reasonable from the production of one instance, to infer the importance of its secret and unobserved influence? The hon. gentleman has, with great apparent satisfaction, asserted that this sentence, which the House is now called upon to abolish, has not been recommended by any critic or author as one of the safeguards of the constitution. This in words may be true: but in fact and consistent with all the theorists of our own constitution it is radically erroneous. For I put it to the learned gentleman, whether the protection of the throne, whether the difficulty of committing treason, is not of the utmost importance to the constitution? And I ask him whether this punishment, which he is so anxious to abolish, has not been introduced and considered of great moment in preventing high treason? The question before us is extremely simple:—are we to erase a law from our statute book, which, to say the least, may by terror prevent the commission of the most enormous crime, and where its operation is limited to terror, as the sentence is not carried into execution? I have no hesitation in saying that I prefer the possibility of this practical good to the speculation and theory which may be attended with practical evil. I therefore shall vote for the amendment.

General *Mathew.*—I rise as an Irishman to repel a justification of this punishment from the rebellion which was a few evenngs since said by the ex-member of Cam-ridge to have disgraced Ireland.—(A cry f order,—as it was not parliamentary to efer to a former debate, and particularly pon a reference of this nature.)

The Speaker said it was not in order, nd general Mathew sat down.

The question being loudly called for,

Sir *S. Romilly*.—Although in my hum-le efforts to improve the penal law I have, itherto, uniformly experienced opposi-ion, I cannot but confess that I feel some isappointment and much mortification at he resistance to the Bill now before us. I ad flattered myself that at least in this nstance I should have secured your una-imous concurrence. I certainly did not oresee that in an English House of Com-nons in the 19th century, one voice would ave been heard in defence of a law which equires the tearing out of the heart and owels from the body of a human being while he is yet alive and burning them in is sight; and least of all did I anticipate hat such barbarity would have been sup-orted by any member of the profession n which I have the honour to be engaged. The hon. and learned Solicitor General, who entered this House with a speech endered inapplicable by the alteration of he Bill in the Committee, has favoured us vith the result of his reflections, and has pposed the whole Bill, although he ad-nits that only a part is objectionable, be-ause he is convinced of the salutary ope-ation of terror and is averse from change.

Upon the subject of terror so much has lready been said, that I shall content nyself with repeating the common an-wer to this objection :—I shall content nyself with saying, that it has in all times een adduced by power as a reason for iving a permanent efficacy to the im-etuous enactments of ambition, avarice, r revenge. If authority, instead of con-idering its own will as the standard of ight, would deign to look back and profit y the experience of past ages; if it vould stay for a moment to reflect upon he miseries which have in vain been in-licted by man upon man; if it would en-uire what good has resulted from burn-ng, from impaling alive, from the rack; rom the wheel, from tearing limb from imb, less reliance would be placed upon hese supposed beneficial effects of terror. f terror could have prevented crime, rime would have long since ceased to xist, and sin may now soon be extermi-ated from the world, for, as human action is prevented by checks and produced by motives, a system of penal laws in which great punishments are threatened for small crimes must inevitably produce this happy consequence. The honourable solicitor, unless restrained by his aversion from change, may form a code by which, the punishments varying inversely as the crime, guilt must soon disappear.—I am fearful, however, that notwithstanding these imaginary operations of terror, the beneficial results upon which the hon. gentleman may calculate will not be realized. Experience tells us that crimes will exist; and if the honourable Solicitor will attend to her voice, if he will not despise the homely appearance of truth because it is to be found in a book of travels, he may learn from the passage which I cited on a former occasion, and which has this evening been repeated by my hon. friend (Mr. Ponsonby), that erroneous estimates of the effects of severity are not peculiar to this island. He will learn that the lawyers and judges at the Cape, attached as they were to the supposed advantages produced by the terror of their engines of torture, have discovered the well-founded interposition of his Majesty, and contrary to their expectations, have seen that a relaxation of severity has been attended with a diminution of crime. How, in mentioning this fact, the honourable and learned Solicitor General could venture to assert that it was my wish to impute improper motives to any person, and particularly to members of my own profession, I am at a loss to conjecture. It would indeed be strange if I should forget the kindness which I have witnessed during the whole of my professional life, or that I should have been so injudicious as to have chosen this time for such aspersions, when, to assist in bringing in these Bills, I have selected one of my own profession from the many friends by whom I am now surrounded. It would indeed be extraordinary if I could be unconscious of their steady support, if I could disregard the strenuous exertions either of my right hon. friend who once filled the highest judicial situation in Ireland (Mr. Ponsonby), or of a noble friend in the upper House, who once filled the same high office in this country (lord Erskine).—Or does the hon. Solicitor General imagine that I, of all men, have forgotten the nervous and argumentative eloquence of a right hon. gentleman, for whose loss to this House there can be but one feeling of regret, and who now presides, with so much honour to himself, and such advantage to his country, in one of the highest judicial situations in England (sir W. Grant)? If the hon. solicitor general had been a member of this House when that right hon. gentleman declared his sentiments with regard to these supposed operations of terror, he would have heard the judgment of a powerful mind accustomed to reflect upon the principles of human nature—he would have heard that "it is not by terror, but by exciting in the community a sentiment of horror against any particular act, that we can hope to deter offenders from committing it; and although threat may tend to increase the horror when it is in conformity with public sentiment, yet when it is in opposition to such sentiment it may have an opposite tendency;" he might have heard the unanswerable question—"If intimidation will prevent crime, why should not the terror of death attend the most trifling offences? Why stop at the terror of death for any offence?" As a justification for these charges, the hon. solicitor has stated that this is the impression produced upon the public mind by the newspapers, which also contain expressions of dissatisfaction at the votes given by five bishops against the alteration of the law that awards the punishment of death for pilfering to the amount of five shillings from a shop. Does the hon. gentleman think that I am to be answerable for such newspaper reports? I saw, indeed, the paragraph respecting the five bishops; and whatever surprise may have been felt by the person who thought proper to communicate this fact to the public, I saw without any astonishment that the punishment of death for privately stealing to the amount of five shillings had been sanctioned by the support of five prelates, because upon a former occasion I recollect that the punishment of death for this offence was approved and supported by seven of the bench of bishops, amongst whom, if I mistake not, there was an archbishop. The statement that it was my intention to reflect upon my profession I have never seen; but from the declaration of the honourable gentleman, I take for granted that it exists. I hope, therefore, that the House will not think I am guilty of any improper condescension, when, for the satisfaction of the honourable gentleman, I declare that these publications did not directly or indirectly flow from me.

The hon. member who has proposed that this Bill be read this day six months, (Mr. Frankland) in commendation of the terror supposed to be excited by this law, has stated that in England the infliction of pain upon the offender is avoided; and our sentence, without producing suffering in the criminal, is calculated to excite disgust against the crime. Supposing the executioner, in the exercise of his discretion, to disobey the sentence enacted by the law and pronounced by the judge, and that these barbarities are not exhibited until after the death of the offender, he, indeed, and his family have only to complain that their minds were tortured, that he suffered to his last moment with the prospect of the agonies which he was to endure,—but has not society just cause of complaint? Is it not of the very essence of this punishment that the spectators should suppose that the sufferer is alive? and must not this thought have an inevitable tendency to corrupt and harden their hearts? Is there a father in this assembly who would wish his child to be present at such a sad scene?

The hon. Solicitor General has stated, that if it were now for the first time proposed to adopt this law, his would be the last consent by which such a cruel sentence should be enacted; but finding it to be a law, he, because he is an enemy to change, will resist any alteration. He will stand upon the old ways; he will tenaciously adhere to precedents without exploring principles, and to judicial enactments without regarding their practical and acknowledged effects; he will be a deliberate and inflexible supporter of the maxim cited a few nights since by a learned serjeant (Mr. Serjeant Best) whom I do not now see in his place, "Nolumus leges Angliæ mutari."—Let us not mislead ourselves by trite and sonorous proverbs. Attachment to existing customs may perhaps in general be traced to an opinion of right, with a concomitant but indistinct feeling of utility, and in many cases it may be of the utmost importance to the well-being of society. I, therefore, cannot but approve that holy fear which suspects danger and foresees the possibility of mischief in approaching innovation. In this I entirely concur with the hon. gentleman. But does he contend that we are not under any circumstances to admit any change?—Does he forget that although novelty, as such, ought to be regarded with suspicion, it ought not herefore, without qualification and even vithout inquiry to be rejected ?—Does he orget that the very ground upon which we are instructed to make a stand upon he old way, is, that we may look about and discover what is the straight and right way, and having discovered, that we may walk therein? The hon. gentlemen will pardon me, in my turn, for reminding hem of the celebrated aphorism, "that a roward retention of custom is more baneful than innovation; and they who reverence too much old times are not of nost service to the new." With respect o the maxim cited by the learned sereant, "Nolumus leges Angliæ mutari," s I cannot suppose that the learned sereant has forgotten the occasion upon vhich it was used, I have great difficulty n discovering the propriety of its appliation to the Bills now before the House. t can scarcely be necessary for me to emind him, that in the disputes beween the civil and ecclesiastical courts especting the legitimacy and illegitimacy f children born before marriage, in which he common and canon laws differ, the relates were desirous that the municipal aw might be rendered conformable to the anon law:—it was then that the menorable reply was made by the nobility, "Nolumus leges Angliæ mutari."—But loes the learned serjeant think that the eply made upon that occasion by the arons ought upon this occasion to be nade by him? or is he so desirous to genealize, as to think that it is a maxim by vhich all legislation is to be regulated, or e will pardon me for adding, annihilated? f this doctrine were to prevail to the exent to which the learned serjeant and the earned Solicitor-General seem desirous to xtend it, our laws would, like those of ome eastern nations of which we read, e immutable,—nations who were subject o monarchs whose will was law, and vhose laws, in direct contradiction to this upposed property of immutability, were s changeable and oppressive as the will f the lawgivers. Such doctrine would e a perpetual and insurmountable bar to ll legislative improvement which society nay anticipate, and, if hitherto pursued, vould have robbed us of that share of appiness which we now enjoy,—for, be t remembered, whatever now is establishment, was once innovation;—the nunerous volumes of remedial statutes which ave been published during the last three enturies ought to be thrown into a pile and burnt, without taking them one by one with the chance of finding some that might not require to be purified by the flames. If this notable maxim were to be interpreted according to the explanation of the hon. gentleman, its translation would be "Let us cease to legislate," and the learned serjeant and hon. solicitor ought if consistent, to return to their constituents and manfully throw up the trust which has been reposed in them.

But, supposing that this ancient maxim ought to be our guide in these our deliberations, I cannot but express my surprise that it should have been cited by the learned serjeant, who, skilled as he is in the common law of England, cannot have forgotten that this sentence of embowelling alive is not part of that common law to which he is so attached, but is itself an innovation. The learned serjeant cannot have forgotten the auspicious beginning in the reign of Edward of this wholesome severity.* It was first inflicted when the infliction was not authorized by common law or by statute, and with the aggravation of falling upon an unfortunate and captive prince. David prince of Wales was the first victim. This unseemly precedent, adopted in the flush and insolence of victory, then assumed the venerable form of law, and fell next upon the undaunted Wallace, who nobly died in defence of the liberties of his country:—he

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* *From Tracts on various Subjects in the Law and History of England, by A. Luders, Esq.* 1810, p. 149, *&c,*

Tract II. Of the Judgment in High Treason.

There was much latitude and uncertainty in ancient times in the punishment of high treason, as well as in the description of the crime. And we find the same to have continued long after the settlement of our present constitution by the Great Charter. Both crime and punishment depended in a great measure on the king's will. Bracton treats of the punishment in general terms only. In his third chapter, De Coronâ, the chief subject of which is treason, he writes that the guilty "ultimum supplicium sustinebit, cum pœnæ aggravatione corporalis, et omnium bonorum amissione, et hæredum suorum perpetuâ exhæredatione."—In another chapter, treating of punishments in general, he mentions "ultimum supplicium, cum pœnâ graviore *et tormentis*," as one in the catalogue, but without naming the offence it belonged to.* This *ultimum supplicium* was probably no otherwise defined in his time than by these words of the same chapter:—"Vita vero et membra hominum sunt in manu domini regis, vel ad tuitionem vel ad pœnam."

The various examples related in our histories of this period, prove that the parti-

* Chap. 6. of 3rd book, first part.

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cular method of inflicting the loss of life and limb, depended upon the crown. Yet Bracton, in his chapter on the several kinds of punishment, writes: "Et non alio modo puniatur quis quam secundum quod se habeat condemnatio. Ut si gladio animadverti debeat in aliquem, tunc non securi nec telo nec fustibus vel laqueo alio quove modo."[*] This condemnation perhaps proceeded in general from the royal direction communicated to the judge; because we find great irregularity practised in the methods of execution.

Britton, in his chapter on treason, describes the punishment in the same general terms:—"for high treason, to be drawn and suffer death for the felony." Fleta distinguishes the punishment of high treason from that of common felony as requiring "pœnas cum morte; altera vero mortem *tantum*."[†] But in his chapter De Crimine falsi[‡], treating of the offence of counterfeiting the seal, either of the king or other superior, he assigns to it the punishment of drawing and hanging, though he does not expressly give it the name of treason. Coke and Hale cite no authority for what the latter describes as the solemn or severe judgment, more ancient than Stafford's case in the beginning of Henry 7th's reign.[||]

I shall here confine my observations to this solemn judgment, and not go higher than the time of Bracton, to trace its origin; because his contemporary Matthew Paris, in the history of Henry the 3d, has related examples enough for our purpose.

Open and violent robbery seems to have been then punished by beheading (which was the common punishment of outlaws), and stealing, by the gallows:—but for high treason, or offences more immediately affecting the crown, the ordinary punishment was, to be drawn to the gallows and hanged. Beheading, in such cases, was an extraordinary addition. This drawing was performed by tying the culprit's feet to the horse's tail, and dragging him along the ground.[*] After this manner they were frequently taken from the court where they received judgment to the place of execution.[†] Hence we may learn, why the drawing is so emphatically made part of this sentence. It was one of the circumstances which Fleta alludes to in his *pœnas cum morte.* To be drawn on a sledge or hurdle as now practised, could have made little difference to one who was going to be hanged: but to be dragged along the street like a log, must have been a kind of torture.

The Annals of Waverley relate the proceedings against some insurgents at Norwich[‡], who had been guilty of great ex-

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[*] Chap. 6, p. 104.

[†] Lib. 1, c. 20, ad fin.

[‡] Lib. 1, 22.

[||] 3 Inst. 210, and 1 Hale, P. C. 350.

[*] See, 2 Parl. Rol. 244, the petition on which stat. 25 Edw. 3, st. 3, ch. 4, was made. And a circumstantial account of the punishment in Annal. Burton. edit. Gale, v. 1, pp. 346, 7: "per pedes proprios caudæ unius equi alligatur, &c."

[†] Bro. Abr. Treason, pl. 15, from Lib. Ass. an. 33, fo. 200, p. 7. In this practice is the origin of our modern word 'reprieve' to be found. It is the French *repris.* The criminal who was not dragged off to the gallows was *repris al prison.* Reprieved is used in this sense as late as the reign of Edw. 6. See stat. 1 Edw. 6, c. 7, s. 5.

[‡] Many particulars relating to them are to be found in our historians under the reign of Henry 3, A. D. 1272. It appears that the clergy resisted the right of the city coroner to enquire into the murder of some citizens committed by them and their retainers. This led to a violent dispute; and many people being wounded by weapons discharged at them from the monastery, the citizens were so enraged that they attacked it and set it on fire, for which no less than thirty young men of the city were executed.

"Trivetus justiciarius, causa cognita, multos civium ad mortem damnatos *suspendi jubet, et semivivos (proditorum usitato apud nos supplicio) dilaniandos.* Mulier vero, quæ prima portis cœnobii ignem admoverat, ignibus absumenda decernitur. Ad monachos quod attinet, Romam provocantes, non solum judiciorum laqueis ipsi sunt elapsi, sed primi totius mali authores, litem inde civibus intentarunt, quæ diu agitata." Godwinus de Præsulibus, p. 488.

"And the King's justices caused some of the offenders (thirty-four in number as the old Roll says) to be drawn with horses about the streets till they died, (Fox, fol. 13); others was the second victim. Well might the learned serjeant then have exclaimed, "Nolumus leges Angliæ mutari." Well might he then have resisted the encroachments of power upon the authority of common law; well might he for once

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cesses, and whom the king determined to punish severely, in these words: "Quosdam fecit equis trahi, alios igne cremari, alios suspendi, et alios incarcerari." This was in the year 1272.* Thirty years before there was an execution for piracy and banditti robbing by drawing and hanging only; to which in one of the cases, where the charge was aggravated by high treason, were added embowelling and burning, quartering and sending the quarters to the four chief cities.† In 1238, a madman who had attempted to kill the king was ordered to be torn asunder by horses, afterwards beheaded, and his body divided in three parts, one for each of the three chief cities through which they were drawn, to be exposed on gibbets. There is no trial mentioned: *Rex jussit.*‡

The first example I have met with of the solemn judgment in high treason, was in the case of David prince of Wales in the 11th year of Edward I. It has all the appearances of a novel and extraordinary proceeding: and the historians would not have dwelt upon it so minutely if it had not been so. Fleta a contemporary author treats it as such.|| This likewise appears in the Annals of Waverley. There was a grand consultation held (as in modern times in France for the torture of Damiens, of physicians, and bourreaux), to consider of the punishment of prince David. Not of bourreaux; but "In Curiâ Regis tractatum est à regni potentioribus, quâ pœna mortis plecti debuit, &c." And here, according to their opinion, "Quadruplicis mortis adjudicatur opprobrio; viz. ad caudas equarum per vicos et plateas in villâ Salopiæ distractus, deinde suspensus, ac postmodum decollatus, deinde corpus exanime in quatuor partes, licet acephalum, divisum; cor autem cum intestinis combustum." The conclusion of the story is characteristic of the manners of the times. They agree that London the principal city shall be graced with his head; but York and Winchester dispute for the honour of his right shoulder, and the latter gains it.*

Fleta's description of the punishment is in these words: "Quinque judiciis mortalibus torquebatur; suis namque meritis exigentibus, detractus, suspensus, decollatus, dismembratus fuit et combustus; cujus caput, &c."

In the year 1292, Rhees ap Meredith, a Welsh lord, who had at first assisted Edward, and afterwards opposed him, was taken and condemned to death. He suffered "punitionem duplicem proditoris et latronis; quia tractus ad caudas equorum suspendio periit."† The same punishment was inflicted upon some chiefs of the Welsh in 1294.‡ In the year following, a traitor detected in correspondence with the enemy was hanged, after being rolled up in an ox's hide, and drawn through London at horses' tails.||

After the king's success in Scotland in 1305, the hero of that nation, sir William Wallace, who had nobly defended his country, was taken prisoner and brought to London, to be made a terrible example of Edward's vengeance. Matthew of Westminster relates his execution in the following words:—"Morte crudelissimâ sed dignissimâ condemnatur. Primo per plateas Londini ad caudas equinas tractus, usque ad patibulum altissimum sibi fabricatum, quò laqueo suspensus; postea semivivus dimissus, deinde abscissis genitalibus et evisceratis intestinis, ac in igne crematis, demum abscisso capite, ac trunco in quatuor partes secto, caput palo super pontem Londinensem affigitur. Quadrifida vero membra ad quatuor partes Scotiæ sunt transmissæ."§

The king's victory in Scotland in the next year, was attended with the like severity upon the prisoners. Some were hanged, others beheaded. The countess of Buchan, who had placed the crown upon Bruce's head, was exposed at Berwick, in an iron house or cage, shaped like a crown, but whether put to death or not in that exposure, is not said. "Symon

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were carried to the gallows, and there hanged, drawn, and quartered, and their bodies afterwards burnt." Blomefield's Norwich, 8vo. vol. 1, p. 55.

Blomefield quotes Hol. vol. 1, fol. 275. Fabian, part 7, fol. 94. Mat. Paris, Hist. Angl. fol. 976-7. Mat. West. anno 1271, p. 351. Neville, p. 145.

[*] Gale, vol. 2, p. 226.

[†] M. Paris, p. 513. *Rege jubente.*

[‡] Ibid. p. 401.

[||] Lib. 1. c. 16.

[*] Edit. Gale, p. 233, and Matt. West. p. 411.

[†] Matt. Westm. p. 419.

[‡] Ibid. p. 423.

[||] Ibid. p. 425.

[§] Ibid. p. 451.

have found in precedent a direct and sacred plea against the usurpation of cruelty: but now, in defence of severity, he loses sight of common law, and admits, in favour of the ages that have passed, the very plea of innovation which he refuses,

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autem Freysel proper pluralitatem proditionum quas fecerat" (the name and character have a curious coincidence with modern history, for it should have been written Fraser) "sic damnatur. A turri Londinensi per viculos et plateas distractus ut *proditor*, suspensus eminus quia *latro*, truncatus capite ut *homicida*, refixus equuleo par dies viginta, igne quoque finaliter est combustus." His head was fixed by the side of Wallace's. At the same time two attendants upon king Robert who had taken part in Comyn's death, and several others, among whom was Neal Bruce, were drawn, hanged and beheaded.* The earl of Athol, on account of his birth, as belonging to the royal family, was brought on horseback, instead of being drawn to the place of execution, and hanged on a gallows fifty feet high, then taken down alive and beheaded.

In Edward the second's reign, A. D. 1322, the earl of Lancaster's associates were drawn, hanged and quartered; but the earl himself was only beheaded for the reason assigned in Athol's case†. Mortimer's case in 17 Edward 2, was solemnly referred to the judges, lords, and others to determine what judgment he ought to suffer for divers treasons, "quel jugement le dit Roger de Mortimer avoit deservi, solom la ley et l'usage de nostre roialme," and they upon deliberation resolved that he deserved to be drawn and hanged‡. He had received the same judgment upon a former occasion, and had been pardoned.

The next case worthy of our attention, is that of the Spensers in the last year of Edward 2, A. D. 1326. Hugh the elder was drawn, hanged, and beheaded at Bristol, and his head sent to Winchester. But the son suffered, besides a more severe and formal punishment, a long reproachful speech of condemnation from the chief justice, which concluded with the following sentence:—"Whereas you are found a thief, therefore you shall be hanged. And whereas you are found a traitor, you shall therefore be drawn and quartered, and dispatched about the realm. And whereas you were outlawed by our lord the king, and by the common assent, and have returned to court without warrant, you shall be beheaded. And whereas you abetted and procured discord between our lord the king and the queen and others of the realm, you shall have your bowels taken out, and then they shall be burnt. Withdraw, traitor, vile tyrant, so go take your judgment, wicked and attainted traitor.*"

From this example, we learn that the punishment of high treason affecting the crown or public peace of the realm, was then understood to be settled in these three points; namely, to be drawn, hanged, and beheaded or quartered. More than these was out of course, although not rare; for upon extraordinary occasions or persons there was usually something more. The Earl of Carlisle in the reign of Edw. 2, was degraded of his honour of knighthood before execution, which was a singular instance. [Tyrrel, p. 300.]

The first case I have met with, in which the king formally remitted part of the disgusting ceremonial of death, is that of Edward the 2nd's indulgence to his cousin the earl of Lancaster, on account of his nearness of kin. He there remitted all but the beheading. [Tyrrel, p. 291.]

Having alluded to the circumstance of beheading being peculiar to open robbers and outlaws, it is necessary to notice the distinctions made in the cases above quoted of Fraser and Spenser. Fraser's case distinguishes the punishments of a traitor, thief, and manslayer, so as to apply beheading to the latter; but in the case of Spenser it is applied to the outlaw. It will be found that robbers, manslayers and outlaws were generally classed together, in the times now before us. Banditti robbery was an offence so common as to be generally meant by the description of open robbery; and as the offenders were generally too many and too strong to be taken, but by the authority of the sheriff, the usual course against them began by outlawry in the county court, and sometimes with excommunication. This was the occasion of rendering the above terms synonymous in practice, and the guilty were frequently put to death upon the hue and cry in pursuit and without trial. They when urged in our own age, on the side of mercy.

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* Matt. Westm. pp. 455, 6, 8.

† 3 Tyrrel, 288.

‡ 4 Rym. F. p. 22.

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* Knyghton, col. 2545, 2549, and Froissart, v. 1, ch. 12, 13, and 14. See also 1 Howell's State Trials, p. 23.

I am sure, after all, that upon the general topics of reform much doubt cannot be entertained in this House. But what is the particular subject of this night's in-

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had *caput lupinum*, which it was lawful to take off; lawful to every man in remote and barbarous times, according to the Mirror. [c. 4, s. 4.] But in Bracton's time it was permitted only in cases of resistance to justice, excepting in the disorderly marches of Wales. Yet we find examples which prove the remains of the old barbarism in practice afterwards, notwithstanding the alteration of the law.[*]

This seems to have been the case upon a transaction related by M. Paris, when the heads of ten night robbers of a great gang in the north, were brought to London at once in Henry the 3d's reign[†].

Gaveston, the favourite of Edward the 2nd, who after having been outlawed and banished ventured to return while under this sentence, was pursued by his enemies, and beheaded upon falling into their hands. It is remarkable, that the king in his public censure of the lords for having put him to death, does not dwell upon the execution, violent as it was; but makes the principal grief to be, that they killed him contrary to their promise given for his safety.[‡]

The ninth chapter of stat. 9 Edw. 2, st. 1, seems likewise to countenance this opinion. It states as a grievance, to the privilege of the church, that offenders under abjuration and in their way to exile, are violently carried off and hanged, or beheaded on the spot. The like inference arises upon a case in 3 Edw. 3, in Fitz. Abr. tit. Corone pl. 346.

In the great appeal of treason in parliament, in 11 Rich. 2, the judgment against the duke of Ireland, earl of Arundel, and chief justice Tresilian, was, to be drawn and hanged, and to forfeit lands and goods. So of sir Nicholas Brembre, Blake and Usk; and the execution to be made by the marshal of England. But the judgment against Usk had the addition of beheading, and his head to be placed upon Newgate.[||]

Sir Simon Burley and others, who were at the same time impeached by the Commons upon the like charge, had judgment to be drawn, hanged, and beheaded, and to forfeit. But for various reasons in their several cases they were pardoned all of the execution but beheading. Burley because he had served the king's father, and was a knight of the garter. Sir John de Beauchamp, because he was of gentle blood, and had been steward of the household. Sir James Berners because he had been in ward to the king, and about his person. But sir John Salisbury had not the judgment to be beheaded, and suffered by being drawn to Tyburn and hanged.[*] These were proceedings in parliament, and in the king's presence. Although not all consistent, they show upon the whole that beheading had now obtained the consideration of being the least ignominious part of the sentence.

Upon the court revolution which happened in the twenty first year of this king's reign, when the old favourites regained their power, and made their enemies suffer, the form of the sentences pronounced against them was of the same kind. The earl of Arundel received judgment upon an appeal of treason, to be drawn, hanged, beheaded, and quartered, and to forfeit. But on account of his worthy blood, the king pardoned the execution of drawing, hanging, and quartering.—The earl of Warwick and sir John de Cobham received the same judgment, but were pardoned so far as to preserve their lives in banishment.[†] It is worthy of notice in all these examples, that the form of adjudging forfeiture is not always the same any more than that of death.

In the eighth year of Henry 4, the judgment against the earl of Northumberland, and lord Bardolf, was the same as the last, with the omission of quartering. But it was a conditional sentence, pronounced in absence, in case of their not appearing, and to depend upon the king's pleasure.[‡]

The conspirators against Henry 5, namely, the earl of Cambridge, lord Scroop, and sir Thomas Gray, had judgment with the omission of quartering, but they all suffered differently. The first, 'quia de sanguine regio ortus est,' was only beheaded. Lord Scroop, because a quiry? It is not upon one of those matters of positive regulation where it, possibly, is of less importance what the rule of law is, than that there should be some certain rule; but it is upon a sentence which inflicts a most cruel death, and which dis-

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[*] Bracton de Coronâ, c. 13, p. 128, b. Fleta, lib. 1, c. 28, p. 44. and Co. Litt. 128, b. note *z*. [†] P. 471.

[‡] Brady Contin. App. No. 56. 3 Tyrrel, p. 253. 3 Rym. Fæd. p. 335.

[||] See Howell's State Trials, vol. 1, p. 89.

[*] See 3 Parl. Ro. 238, 243.

[†] Ibid. pp. 377, 380, 381-2. [‡] Ibid. p. 607.

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knight of the garter, was not hanged, but drawn and beheaded. Sir T. Gray, for no reason assigned, but 'de præcepto Regis,' was only beheaded; after being led on foot, according to the sentence, through the town of Southampton to the place of execution. His head was directed to be fixed up in public view at Newcastle.[*]

The judgment against sir John Mortimer, in the second year of Henry 6, is an extraordinary one, as are the other circumstances of his case. He had escaped from prison, and was attainted by a violent stretch of power by act of parliament, in which the judgment contains these words, viz. "Quod ipse usque Turrim prædictam ducatur, et deinde per medium civitatis prædictæ usque ad Furcas de Tyburne trahatur, et super Furcas ibidem suspendatur et ad terram projiciatur. Et caput ejus amputetur, et interiora sua comburentur, et corpus ejus in quatuor partes dividatur. Et caput ejus super portam pontis Londoniæ ponatur, ac dictæ quatuor partes corporis sui super alias quatuor portas Londoniæ separatim ponantur. Et quod bona et catalla terræ et tenementa sua cum pertinentiis, tam in dominico quam in reversione domino Regi forisfiant, &c.[†]"

Yet this sentence, which was under extraordinary circumstances, and peculiar in its day, seems to have furnished the model for what is now the ordinary form of the solemn judgment in high treason. For the examples of Edward the first's reign which it resembles, had not been followed in the reigns next succeeding.

We read of many executions for treason during the civil war of York and Lancaster of an irregular kind, and partaking more of a military than juridical course; therefore not fit to be cited for examples. But I find a record of a regular trial for high-treason by indictment upon the usual commission in the eighth year of Edward 4; which contains a judgment wherein are all the formalities required by law as now practised. The sentence is stated under the 'Ideo consideratum est,' as of course, and without any reasons assigned, in the form of preamble, in these words; viz. "Quod prædicti T. H. et H. C. ducantur ad prisonam domini Regis quâ detinentur, et abinde per medium civitatis Novæ Sarum prædictæ directè usque ad Furcas de Bymerton trahantur, et ibidem super Furcas illas suspendantur. Et eorum alter vivens ad terram prosternatur: et interiora sua extra ventres ipsorum et eorum alterius trahantur ipsis viventibus et comburentur. Et quod capita utriusque eorum amputentur; ac quod corpus utriusque eorum per se in quatuor partes dividatur. Et quod capita et quarteria ipsorum T. H. et H. C. ponantur ubi dominus Rex assignari voluerit.[*]"

This is the earliest case I know of such a judgment formally given, or of one in the ordinary administration of justice, containing such formalities. And it differs from all those above quoted, in leaving the disposal of the mangled bodies to the discretion of the crown. But it has a more remarkable distinction from the rest, in the omission of the clause of forfeiture.

Sir E. Coke writes[†], that forfeiture is implied in the judgment; for which he refers to Bro. Abr. tit. Forfeiture, pl. 99. But that case (of 35 Hen. 8,) is expressly confined to an attainder by act of parliament; and so is a dictum to which Brooke refers in 4 Hen. 7, 11, b.

Although the clause of forfeiture is as usual as any other part of the judgment in the old cases, it is not added in those of modern times; and the omission being so uniform may have been made upon good reason and authority, though we have it not to show. In the law of Scotland, it has continued to make part of the judgment pronounced upon the offender.[‡]

The judgment upon Humphry Stafford, before mentioned, is given in these words in the Year-Book:[||] "Et per consensum *omnium Justiciariorum* Angliæ idem H. adjudicatus fuit, quod iterum reducatur Turri Londinensi; et abinde ponatur super quoddam herdillum, et trahatur per medium civitatis Londini, et sic usque Tiburnum; et ibidem per collum suspendatur, et ante mortem cor scindatur; et

graces the national character by a savage and disgusting spectacle to those by whom it was witnessed; such an enemy is the hon. gentleman to innovation that he will retain even such barbarities, because he finds them established. If the hon. Soli-

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[*] Parl. Ro. 66. 3 Hen. 5.

[†] Ibid. 202, also quoted in 4 Inst. 38.

[*] 6 Parl. Ro. 306, 307. [†] 3 Inst. 211.

[‡] See 2 Howell's Stat. Tr. p. 705, and Arnot's Crim. Tr. Scotl. pp. 90, 378, 381, 391,

[||] 1 Hen. 7, 24.

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caput abscindatur, et corpus ejus dividatur in quatuor partes, et mittatur ad voluntatem regis: et Deus misereatur animæ ejus." The words of the sentence given by Coke and Hale are not exactly the same as these in the Year-Book.

The prisoner had been attainted of high treason by act of parliament, with many other Yorkists who opposed Henry 7, and had fled to sanctuary; upon which a great question arose for the determination of the judges, who were all assembled in the King's Bench for this purpose. The point of sanctuary being decided against him, the judgment of death followed of course.

Staunford, who was contemporary with Henry 8, and queen Mary, in his Pleas of the Crown, writes that the judgment in high treason is—"d'estre reamesné al lieu dont il vyent, et de la d'estre trahé sur un hurdle jesque al lieu d'execution, et de la d'estre pendu per le colle, et vive d'estre decoupé, et ces entrailles et privy membres d'estre excises de son corps, et comburé deins son view, et son tête d'estre abscise, et son corps devidé in quater parts à disponer al voluntie le roye. Et c'est le judgment d'un homme. Car d'un feme il est auter, d'estre trahé et comburés." The author then shows the difference between this judgment and that for counterfeiting the coin by 25 Edward 3, and by the statute of Mary.*

The first volume of the State Trials contains many later examples of judgments pronounced upon traitors, which the reports purport to give in their very words. If we can rely upon that authority, it may be observed that they differ more or less from each other, no two being exactly alike; some in form only, others in substance. They are of different periods from the case of sir Thomas More to that of sir Walter Raleigh.†

The judgment in Co. Ent. 361, b. which is of the first year of James 1, and those in Plo. Com. 387, b. and 551, and Rast. Ent. 645, which are of the first of Mary, in the cases of sir Thomas Wyat, and of Robert Dudley, afterwards famous as earl of Leicester, omit the hurdle, and the cutting off the privy parts; and direct the entrails to be taken out of the belly, and burnt while the person is alive. There is the like omission in many cases since; but they order the head and quarters to be at the king's or queen's disposal.

Blackstone writes of the hurdle as a "connivance at length ripened by humanity into law.*" A case in Edward 3's reign, before referred to, proves this; and it may be inferred from its expressions that the monks, although they were then a vicious race, had been the authors of this humanity.† The judge there, in condemning a criminal, is reported to have given especial order that neither friars nor others should dare to help him with any thing to rest upon in the drawing.

It is to be lamented that the heads of the law or state in modern times should never have felt those sentiments of decency and humanity which the corrupt monks of old could put in practice; by the workings of which our administration of justice might have been purged ere now of a disgraceful and barbarous ceremony. There is a passage related of queen Elizabeth, which shows that her attention was once called to the subject. Several traitors, who had suffered for a conspiracy in favour of the queen of Scots, were executed (as it often happened then) according to the exact and cruel direction of the sentence. The queen being informed of it was shocked, and directed that some of the offenders who remained to be executed should hang on the gallows till dead before they should be cut down. Considering this queen's character, and that she had shown a due sense of the indignity on this occasion, we may wonder that she did not proceed further in the work of reformation by correcting the law itself.‡

But it was left for the vulgar destroyers of royalty to make the change which decency required in this instance. In the trials during the Usurpation a new form was directed to be observed, which con-

citor had lived some years ago, he would then doubtless have stood forward with the arguments that we have heard this night in support of those monuments o barbarism which the wisdom of our ancestors has abolished: amongst such bulwarks

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* Staunf. P. C. l. 3, c. 19, p. 182.

† Howell's State Tr. v. 1, pp. 395, 1032, 1112, 1258, 1331, 1357, v. 2, pp. 29, 31. See also, v. 1, pp. 397, 1086, 1088, some particulars as to *parboiling* the heads and quarters of persons executed for high treason.

* Comm. b. 4, c. 6. † 33 Ass. pl. 7.

‡ 1 Howell's Stat. Tr. pp. 1158, 1160. See in p. 1193 her sentiments of dignity and propriety in the proceedings against her rival the Queen of Scots, whom she studied to keep out of public disgrace upon her trial.

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sisted only of suffering death by severing the head from the body. After the Restoration, for reasons natural enough, however to be regretted, it was not thought proper to adopt it.

The following is the sentence pronounced upon the first occasion which then presented itself for recurring to the old form, namely, upon the trial of the regicides.[*]

"The judgment of this court is, and the court doth award, That you be led back to the prison from whence you came, and from thence to be drawn upon a hurdle to the place of execution; and there you shall be hanged by the neck, and being alive shall be cut down, and your privy members to be cut off;[†] your entrails to be taken out of your body, and (you living) the same to be burnt before your eyes: and your head to be cut off, your body to be divided into four quarters, and head and quarters to be disposed of at the pleasure of the king's majesty. And the Lord have mercy upon your soul!"

The judgment upon lord Stafford in 1680 was not materially different from the foregoing, and is more deserving of our attention, because his case occasioned a debate in the House of Lords, which concluded with a reference to the judges for their advice upon the mode of proceeding.

According to the report in the State Trials, which agrees with the Lords' Journals,[‡] "The Lords took into consideration what judgment should be given upon William viscount Stafford: and it was moved that he might be beheaded. After some debate the judges were asked, Whether if any other judgment than the usual judgment in high treason should be given upon him it would attaint his blood? The judges were of opinion that the judgment for high treason appointed by law is, to be drawn, hanged, and quartered: and in the courts and proceedings below they can take no notice of any judgment for high treason but that. Then the Attorney General desired to be heard on his majesty's behalf, which the House gave leave for him to be: who said he knew no other judgment by law for high treason but drawing, hanging, and quartering: if any other judgment were given, it would be prejudicial to his Majesty, and be a question in the inferior courts as to his attainder of high treason. Whereupon their lordships ordered that the lord high steward do pronounce the ordinary judgment of death upon the lord viscount Stafford, as the law hath appointed in cases of high treason."

If we take this literally, the judgment does not pursue the advice of the judges; for there is more than drawing, hanging, and quartering directed in what the high steward pronounced for the ordinary judgment. He must therefore have considered himself justified by some other authority, which may be supposed to have been founded in precedent.

What followed hereupon exhibits a tale of party violence similar in kind, and not less disgraceful to the times than that before mentioned, of the contest between York and Winchester for the Welsh prince's right shoulder.[*]

Upon the king's ordering the execution to be done by beheading, the sheriffs affected to doubt the legality of the order as communicated to them, and applied to the House of Lords for further directions, who declared that the king's writ ought to be obeyed. They applied likewise to the House of Commons, as parties to the judgment, because it was passed upon their impeachment. But the flame expected to be kindled between the two Houses was suppressed by a motion of sir William Jones's, agreed to by the Commons, "That this House is content that the sheriffs ———— do execute William viscount Stafford, by severing his head from his body only."[†] Whether this strange proceeding arose from the malevolence of faction in lord Stafford's enemies to obtain the full and disgusting performance of the judgment, or from the secret instigation of his friends, in hope of furnishing means for his escape, by raising a dispute in parliament, is doubtful. Hume, in his History, without referring to any

[*] 5 Howell's State Trials, 1034.

[†] There are few precedents for this disgusting part of the sentence. The word *interiora* will be found to have been most generally used.

[‡] Howell's State Tr. vol. 7, p. 1554. Lords' Journal, vol. 13, pp. 704, 5, 6.

[*] See p. cxiv.

[†] Comm. Journ. 692.

f the constitution as embowelling alive, might have supported the 'peine forte dure,' the writ 'de hæretico comburendo,' or the burning women alive for petit treason.

The nature of the hon. Solicitor's rea-

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uthority, asserts the former position; and ccuses lord Russell of partaking in that xtreme violence. Grey's report of the ebate does mention his name, but it can-ot contain the whole.

The sentence pronounced upon Despard nd others, in the year 1803, is as follows the printed trial, which purports to ive the speech of the chief justice who ronounced it, from short-hand notes*—iz.

“ That you the several prisoners at the ar be severally taken from hence to the lace from whence you came, and from ence be severally drawn on a hurdle to e place of execution, and there be se-erally hanged by the neck, but not until ou are dead, but that you be severally ken down again, and that whilst you are et alive, your bowels to be taken out and urnt before your faces: and that after-ards your heads be severed from your odies, and your bodies be divided each to four quarters, and your heads and uarters to be at the King's disposal, nd may God have mercy on your souls!”

This sentence is not exactly the same that pronounced by Mr. Justice Heath pon Tyrie at Winchester, in the year 782, according to the printed trial. But at does not agree with the entry in the erk of assize's Judgment Book, which examined. This is as follows:—“ Let im be drawn upon a hurdle to the place execution, and there hanged by the eck, and then cut down alive, and his trails and privy members cut from his dy, and burned in his sight; and his ad cut off, and his body divided into ur parts, and disposed of at the king's leasure.”

This agrees with the form in the office clerk of assize, edit. 1682, p. 64. But at of the printed trial, said to be taken short hand,† agrees with the book pub-shed in 1710 by order of the House of ords, with the approbation of the judges, titled, A Form and Method of Trial of ommoners in Cases of High Treason: viz.

“ You, David Tyrie, are to be led from ence to the gaol from whence you came, d from thence you are to be drawn upon hurdle to the place of execution; and there you are to be hanged by the neck, and being alive to be cut down, and your privy members to be cut off, and your bowels to be taken out of your belly, and there burnt, you being alive; and your head to be cut off, and your body to be divided into four quarters: and that your head and quarters be disposed of where his Majesty shall think fit.”

I have heard of an Irishman, who upon receiving this sentence exclaimed, “ Ah! what need of all this cookery?” It is high time to abolish such an outrage to public decency and private feelings, unless we could bring the habits and manners of those who devised it, or employ their ghosts to perform the ceremony.—I have known men of rank and consequence, upon returning from a trial where they had heard this sentence passed, exclaim against it almost in the above words, and speak seriously of endeavouring to reform it. But many a good design of this kind has failed from the interval of a pleasant party or night's rest, or other business coming on to occupy the thoughts of the following morning.

A proper opportunity offered itself for making the improvement a few years ago, when an Act was introduced for altering the judgment by which women were directed to be burnt.* I cannot doubt but that the same good sense which proposed that alteration would have embraced the one here suggested if it had then been brought to view. Now indeed both reason and example are stronger in its favour; for the statute alluded to has created a new disparity of the same sort as existed before between the judgments upon male and female offenders. The humanity of modern times, like that which introduced the hurdle formerly, has generally operated upon the officers of justice, so as to induce them to fail in the strict execution of the sentence, by omitting the torture and most offensive parts of it: and the prerogative of the crown is often exercised in remitting all but the beheading. But it would be more to the honour of our laws, and would relieve its ministers from a breach of duty, and the crown from a burthen, to ordain the same absolutely by a new statute.

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* Gurney's, 8vo.

† See Howell's State Trials, vol. 21, p. 844.

* Stat. 30 Geo 3, 48.

soning may be applied with equal force to all of these savage expedients.

By the ancient law, the judgment for standing mute was, "that the prisoner be remanded to the prison from whence he came, and put into a low dark chamber, and there be laid on his back on the bare floor, naked, unless where decency forbids; that there be placed upon his body as great a weight of iron as he could bear; and more, that he have no sustenance, save only on the first day three morsels of the worst bread, and on the second day three draughts of standing water that should be nearest to the prison door, and in this situation this should be his daily diet till he died, or (as anciently the judgment ran) till he answered."* In the 12th year of his present Majesty's reign our national character was rescued from this just subject of reproach, and the law was abolished. If the hon. solicitor had been a member of this House when the alteration was then proposed, he would have implored you not to remove the land-marks of society; he would have said that this operation of terror was most beneficial to the community, and that, although I would have been the last to have introduced this law, I will be the first to continue it.

The writ 'de hæretico comburendo,' which, as a practice, has been thought to be as ancient as the common law itself, was abolished in the reign of king Charles 2. Has the removal of this bulwark endangered the constitution? or does the hon. Solicitor think that, because it was once law, it ought not to have been altered? or does he believe that any advantages resulted to this country, or that our national character was exalted by that execrable writ, which spared neither genius or piety, the helplessness of childhood, or the feebleness of old age?

The punishment for petit treason by a woman, was burning her alive. In the year 1790 this law was altered.* Would

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* The last infliction of this sentence was probably in the year 1735:—"Monday, August 4th, 1735.—At the assizes at Lewes in Sussex, a man who pretended to be dumb and lame, was indicted for a barbarous murder and robbery. He had been taken up on suspicion; several spots of blood, and part of the goods being found on him. When he was brought to the bar, he would not speak, or plead, though often urged to it, and the sentence inflicted on those who stand mute read to him. Four or five persons in court swore they had heard him speak: and a boy who was his accomplice, and apprehended, was there to be a witness against him; yet he continued mute. On which he was carried back to Horsham gaol, to be pressed to death if he would not plead.

"They laid on him first 100 weight, then added 100 more, and he still continued obstinate. They then added 100 more, and then made it 350lb. yet he would not speak. Then adding 50lb. more, he was just about dead, having all the agonies of death about him; when the executioner, who weighs about 16 or 17 stone, lay down upon the board which was over him, and, adding to the weight, killed him in an instant."—Gentleman's and London Magazines for August 1735.

* The following is an answer to a letter inquiring into the origin of this alteration:

"In reply to thy inquiry respecting information on the subject of the alteration of the punishment of petit treason by a woman, which was burning alive, and is now simple death, I will relate what I recollect of the circumstance. A friend of mine was chosen constable of a parish in the city. Although a man of large property, he chose rather to serve himself than hire another to do the duty. It was in the year that the King went to St. Paul's he was constable, as I remember; he attended on that occasion.—He generally attended at executions, and on the one which occasioned the conversation on petit treason, there were nine persons executed, one of whom was a woman for murdering her husband. The sight of her body being burned after she had been hanged, affected him so much that he turned very pale, on which sir W. Curtis, who was sheriff, very kindly desired him to go with him to an apartment in Newgate, which he did. Whether sir Ben. Hammett, who was the other sheriff, was with him, or not, I cannot recollect; but my friend took the opportunity of making some very striking remarks on the then existing law, clearly pointing out the folly of it, tending only to excite great curiosity among the lower classes of society, and to harden, rather than in the smallest degree cause tenderness of disposition. What he said seemed to be so impressive as to engage one of the sheriffs to say that he would the next open day move in the House of Commons, that the law, so far as the burning the bodies of the hon. Solicitor, then, have reminded you of the salutary operations of terror? Would he have talked of the bulwarks of the constitution; of his being the last man to propose, but the first to preserve this law?

As the dread of change is so prevalent, let us congratulate ourselves that the punishment of burning women alive, the writ 'de hæretico comburendo,' and the 'peine forte et dure,' are already abolished; for the temper which has appeared, the reasoning which we have heard this night would have been as applicable to such exploded barbarities as to embowelling alive.

The hon. gentleman has stated, that my hon. friend (Mr. Courtenay) is mistaken in supposing that, in the execution, or rather in the evasion of this sentence, any trust is reposed, where he cannot but admit that it ought not to be confided, in the executioner; and he with an air of triumph says, we ought not to legislate from the solitary instance of Mr. Townly, which must be solitary, because no other instance has been adduced. The error of this mode of reasoning seemed to be forcibly felt by the hon. gentleman, when it was unexpectedly retorted upon him in the conclusive argument of my right hon. friend (Mr. Ponsonby). But if it will be any satisfaction to the hon. gentleman, I will remind him of the account which he may find in the State Trials of the execution of John James, where the executioner is stated to have been so civil as not to embowel the offender until he was actually dead.*

When the sentence is merciless, the sufferings of the offender will, in a state which has made any progress in civilization, be mitigated, if possible, by the executioner. The 'peine forte et dure' while it existed, was, like the punishment of treason, a case where it was left to the humanity of the hangman to temper the cruelty of the law: and it was usual for him in the first instance to place such a great weight upon the breast of the offender, as to shorten and soon terminate his sufferings. Sir William Blackstone* considers these severities so contrary to the genius of our nation, that he says they are never inflicted unless by accident: and sir M. Foster† mentions one of these accidents, where a woman was actually burnt alive. If these instances, which must unavoidably exist from the very constitution of our nature, will not satisfy the hon. gentleman, he may, I make no doubt, discover many others, from which he will be convinced, that it is not my hon. friend who was mistaken. On former occasions it was contended that a discretion in inflicting the punishment ought to be taken from the legislature, and reposed in the judges. On this night we have heard an extension of this doctrine, and we are now required to trust to the discretion of the executioner.‡

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women for petit treason, should be abolished;—he performed his promise, and the law was accordingly altered, and, as far as I can now remember, without any opposition."—This is a mistake, it was opposed.

* "The sheriff and hangman were so civil to him as to suffer him to be dead before he was cut down: the hangman taking out his heart, and burning his members and entrails, returned his head and quarters back to Newgate, put in a basket in a cart, and from thence were disposed by the King."—Howell's State Trials, vol. 6, p. 104, 13 Car. 2, 1661.

* "But the humanity of the English nation has authorized, by a tacit consent, an almost general mitigation of such part of these judgments as savour of torture or cruelty; a sledge or hurdle being usually allowed to such traitors as are condemned to be drawn; and there being very few instances (and those accidental or by negligence) of any persons being embowelled or burned, till previously deprived of sensation by strangling."—Blackst. iv. 376.

† "In common practice no material difference is made in the manner of the execution, unless in some very special cases.

"I remember a woman for the murder of her husband, under circumstances of high and uncommon aggravation, literally burnt alive,§ and we are told that in a case of petit treason the prisoner was by order of the court drawn, immediately after sentence, from Westminster-hall to Tyburn, without the poor comfort of a hurdle, or any thing to keep his head and body from the ground."—Foster's Crown Law.

‡ There is, perhaps, no instance in which the difference between our law in its solemn denunciations, and in actual

§ Catherine Hayes, convicted at the Old Bailey, April, 1726.

The only remaining topic of the hon. gentleman's argument is, his inquiry whether there ought not to be some distinction between the punishment for such an offence as high treason, and the punishment for common felonies. Upon the answer to this question no doubt can be entertained: but if the hon. gentleman therefore infers, that embowelling alive ought to be part of the law of England, he will forgive me for saying that, allowing the truth of his premises, I wholly dissent from his conclusion. I allow that there ought to be a distinction between crimes so widely different; but this distinction ought to be made, not by the introduction of torture, not by augmenting the pains for these extreme offences, but by lowering the punishments, by abolishing the punishment of death for pilfering a few shillings.—It is not one of the least important objections to the enacting severe laws for small crimes, that they form a standard of cruelty to justify every harsh and excessive exercise of authority. These are the bloody tests to which constant appeal is made. These laws are represented as unobjectionable because they are never executed. We are told that, if they are theoretically severe, they are practically humane. Be it so: but let it be remembered that on this, as on many other occasions, appeals are made to these laws as a standard for apportioning punishments for other offences.* The

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practice, is more remarkable than in the crime of high treason. Although the sentence uniformly pronounced by the judge, is one which it is never intended should be executed, it is still suffered to remain a part of the law. It remains a just subject of reproach to us by foreigners, and answering among ourselves no other purpose than at a very awful moment to distract the reason and terrify the imagination of each miserable convict, by an enumeration of horrible barbarities, which with judicial and religious solemnity he is told that he is to undergo. He is to be drawn to the place of execution, and there to be hanged, but not until he is dead: he is to be cut down, and his entrails taken out and burned while he is yet alive; his head is then to be cut off, and his body is to be divided into four quarters, and to be at the King's disposal. Here there is no discretion reposed in the judges; they are bound to pronounce the cruel and disgusting sentence, and all discretion is transferred to the executioner. He is allowed, if he thinks fit, to defeat the intention of the law by suffering the criminal to remain suspended until he is dead; he may, if such be his pleasure, omit the embowelling altogether, and it is to the humanity of the hangman that it is left to temper the savage severity of the law. That humanity, however, has not always been exerted. "There are few instances," says Mr. J Blackstone, Com. vol. 4, p. 377, "and those accidental or by negligence, of persons being embowelled till previously deprived of sensation by strangling." There are few instances, but there are some. It depends, therefore, not on the aggravation to be found in the guilt of the offender, but on accident, or on the neglect of the man who executes the sentence, whether severe tortures shall constitute part of the punishment. Nor in truth has it always been through accident or negligence that these tortures have been endured. It should seem that in ancient times the sentence was usually executed in all its rigour; it has been so at no very remote period—no further, indeed, back than the rebellion of 1745: and recourse will probably again be had to these severities, if the violence and bitterness of civil dissentions and intestine wars should ever again unhappily rage in this country, and be attended with the same effect as they have produced in past times, and amongst other nations—that of kindling every latent spark of revenge and cruelty existing in the human breast.—See Sir Samuel Romilly's Observations on the Criminal Law.

* But although these laws are not executed, and may be said, therefore, to exist only in theory, they are attended with many most serious practical consequences. Amongst these it is not the least important, that they form a kind of standard of cruelty to justify every harsh and excessive exercise of authority. Upon all such occasions these unexecuted laws are appealed to, as if they were in daily execution. Complain of the very severe punishments, which prevail in the army and the navy, and you are told that the offences which are so chastised, would by the municipal law be punished with death. When not long since a governor of one of the West India islands was accused of having ordered that a young woman should be tortured, his counsel said in his defence, that the woman had been guilty of a theft,

reasoning of the hon. Solicitor upon this subject is contained in a tract which was published a year or two after the Bill for inflicting the punishment of death for stealing to the amount of five shillings privately from a shop, passed the legislature. This tract, entitled, "Hanging not punishment enough," recommends, that, as malefactors who differed in guilt could not with justice be doomed to the same punishment, torture ought in many, if not in most cases, to be sanctioned by the legislature. This tract* has lately been republished. It is not, as it may be supposed, written ironically; but it is a serious, grave declaration of opinion by an

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and that by the laws of this country her life would have been forfeited. When in the framing new laws, it is proposed to appoint for a very slight transgression a very severe punishment, the argument always urged in support of it is, that actions not much more criminal, are by the already existing law punished with death. So in the exercise of that large discretion which is left to the judges, the state of the law affords a justification for severities which could not otherwise be justified. When, for an offence which is very low in the scale of moral turpitude, the punishment of transportation for life is inflicted, a man who only compared the crime with the punishment, would be struck with its extraordinary severity! but he finds upon inquiry, that all that mass of human suffering which is comprised in the sentence, passes by the names of tenderness and mercy, because death is affixed to the crime by a law scarcely ever executed, and, as some persons imagine, never intended to be executed."—See Sir Samuel Romilly's Observations upon Criminal Law.

* Hanging *not Punishment enough for Murtherers, Highwaymen, and House-breakers:* Offered to the consideration of the two Houses of Parliament,—London, Printed for A. Baldwin in Warwick lane, 1701; re-printed in 1812 by Basil Montagu, esq.; published by Longman and Co.

> Cum sæpiùs peccatur, pœnas augeri oportet.
> *Bodin. de Repub. lib. 6. cap. 6.*
>
> Αἱ ἑτέρων τιμωρίαι βελτιῶσι τοὺς Πολλοὺς,
> Τοῦ μὴ παραπλήσια παθεῖν. *Philo, in Legat.*
>
> ——— Cur non
> Ponderibus modulisque suis Ratio utitur, ac res
> Ut quæque est, ita suppliciis delicta coercet? *Horat.*
>
> ——— Adsit
> Regula, peccatis quæ pœnas irroget æquas. *Idem.*

The following is a specimen of the tract:

I am sensible, that the English clemency and mildness appear eminently in our laws and constitutions; but since it is found that ill men are grown so much more incorrigible, than in our forefathers' days, is it fit not that good men should grow less merciful to them, since gentler methods are ineffectual?

I acknowledge also, that the spirit of Christianity disposes us to patience and forbearance, insomuch that when the Roman emperors began to grow Christian, we are informed, That most capital punishments were taken away, and turned into others less sanguinary; either that they might have longer time for repentance, (an indulgence agreeable to the zeal and piety of those good ages) or that the length and continuance of their punishment might be more exemplary.* And I acknowledge with the wise Quintilian, "That if ill men could be made good, as, it must be granted, they sometimes may, it is for the interest of the Commonwealth, that they should rather be spared than punished†." And I know, that it is frequently alledged, that you take away a better thing, and that is a man's life, for that which is worse, and that is your money and goods; but though this be speciously enough urged, yet I doubt not but the public safety and happiness may lawfully and reasonably be secured by this way, if it can by no other.‡ No doubt, if other methods would do, there had never been recourse to death, since that was questionless reserved as the last refuge.|| But even that now fails, and so fails, that if some remedy be not found to stop this growing evil, we shall shortly not dare to travel in England, unless, as in the deserts of Arabia, it be in large companies, and armed. For to such a height of villainy are they arrived, that even some of the nobility themselves have not escaped their

* "Magis ad exemplum proficit pœna diuturnior." Grotius.

† "Nemo dubitabit, quin si nocentes mutari in bonam mentem aliquo modo possint, sicut posse interdum conceditur, salvos esse eos magis è republica sit, quàm puniri."

‡ "Consuleret securitati justâ ultione." Corn. Tacit.

|| "Mors ipsa ab iis qui primùm constituerint, non seu malum aliquod sontibus imposita sit, sed tanquam extremum præsidium, et loco medicamenti." Camerar. Oper. Subsec.

author who follows truth wherever it leads him; and whose conclusions cannot be controverted, if his premises are allowed. He may reason "well as a logician, but very badly as a man." With respect to this not being a fit

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hands; and there is no order of men in England, but has been sensible of their insolence and rage. And it is a very great aggravation of their crime, and a high provocation to those who fall into their power, that they use them in so barbarous and insulting a manner; and so much worse than in former ages, that some men of spirit cannot bear so inhumane treatment, without endangering, and oftentimes losing their lives, as has been too often known to be proved.

So that I must beg leave to say, that they who show no mercy should find none; and if hanging will not restrain them, hanging them in chains, and starving them, or (if murderers and robbers at the same time, or night incendiaries) breaking them on the wheel, or whipping them to death, a Roman punishment, should.

I know that torments so unusual and unknown to us may at first surprise us, and appear unreasonable; but I hope easily to get over that difficulty, and make it appear upon examination, that that will be the more probable way to secure us from our fears of them, and the means of preserving great numbers of them, who now yearly by an easy death are taken off at the gallows. For to men so far corrupted in their principles and practices, and that have no expectations beyond the grave (for such, I fear, is the case of most of them) no arguments will be so cogent, as pain in an intense degree; and a few such examples made, will be so terrifying, that I persuade myself it would be a law but seldom put in execution.

It is a rule in civil law, and reason, That the punishment should not exceed the fault.[*] If death then be due to a man, who surreptitiously steals the value of five shillings (as it is made by a late statute) surely he who puts me in fear of my life, and breaks the king's peace, and it may be, murders me at last, and burns my house, deserves another sort of censure[*]; and if the one must die, the other should be made to feel himself die[*].

For as the benefit of the clergy is of late taken from pickpockets, so they are now in the eye of the law upon the same foot with murderers, highway-men, and house-breakers. Their crimes are certainly unequal by the laws of God, and the consent of nations; why then should not their punishment be so too[†]?

In the same spirit with the above Tract is the following passage from a writer in the time of Elizabeth, who was so far from esteeming the barbarities in the sentence for high treason merely as threats *in terrorem*, that he recommends the infliction of whatever more of this kind the ingenuity of man could devise.

*From* Sir John Ferne's Blazon *of* Gentrie, *page* 228.—*London,* 1586.

*Paradin.*—An other cause of the dayly ouerthrow of auncient noblenes in this realme, is the condigne punishment of the common lawes, which doe with so due an obseruation of iustice, punish the offences capitall of treason and felonie, that they not alone take from the offendour both life and member, but therewith cut off the line of succession or inheritaunce from the reste of his bloud; so that the liuinge beeing taken from them, the house falleth to the grounde. For the which cause, or at least to restraine those forfeitures (and to preserue the patrimony to the issue of the offendour) a statute of condicionall giftes was made in the dayes of king Edward the I. as I haue hearde some legistes of England opinion.

*Torquatus.*—All these forfeitures, and much moe, are all too little to restraine this perfidious and traiterous age, from the attempting and executing of moste vile and horrible treasons against soueraignes. So that in this respect all the terrors, afflictions and punishments which the pollicie of wit could deuise are ne-time for an alteration of the laws, I do not think it proper to trespass upon the attention of the House with a single observation.

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[*] "Justitia in eo potissimùm consistit, ut supplicium sit æquale peccato." Bodin. de Repub. lib. 6, cap. 6.

[†] "Si in minimis peccatis etiam maximæ pœnæ consumuntur, restat ut maxima peccata aut maneant impunita, aut nova supplicia inveniantur." Scol. ad Horat.

[*] Mori se sentiat.

[†] "Major minorque transgressio non unius debeat mulctationis prædemnari supplicio: præsertim cum Dominus in legé sua præcipiat: Pro mensura peccati, erit et plagarum modus." Lex Wisigotthor. lib. 12, tit. 3, cap. 1.

I cannot, however, sit down without calling upon you to remember before we divide, before you say "This law ought to remain upon our statute book," that his Majesty's law officer has declared that such a law ought never to have had existence:—I call upon you to remember, that cruel punishments have an inevitable tendency to produce cruelty in the people*. It is not by the destruction of tenderness, it is not by exciting revenge, that we can hope to generate virtuous conduct in those who are confided to our care.† You may cut out the heart of a sufferer and hold it up to the view of the populace, and you may imagine that you serve the community; but the real effect of such scenes is to torture the compassionate and to harden the obdurate. In times of tranquillity you will not diminish offences by rendering guilt callous; by teaching the subjects to look with indifference upon human suffering: and, in times of turbulence, fury will retaliate the cruelties which it has been accustomed to behold. From the spirit which I have seen I shall not be surprised and I certainly will not be deterred by any vote of this night. I am not so unacquainted with the nature of prejudice as not to have observed that it strikes deep root; that it flourishes in all soils and

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cessary to be inioyned to such offenders, and yet, all too little.

*Paradin.*—I am of your opinion: and I wishe rather a multiplication of miseries to be laide both vppon the offendor and his posteritie then any relaxacion of their penalties.

* When, in the Holy War, as it was termed, the Christians took possession of Antioch, "It did not a little encourage them that they found in the church of St. Peter, that lance wherewith our Saviour's body was pierced: they highly prized this relick of Christ, as if by wounding of him it had got virtue to wound their enemies."—See Fuller's Holy War.

† *From* REFLECTIONS ON WAR, AND THE FINAL CESSATION OF ALL HOSTILITIES: *A Sermon preached before the University of Cambridge, March* 12, 1800, *being the Day appointed for a General Fast. By* RICHARD RAMSDEN, *M. A. Fellow of Trin. Coll. p.* 18, *&c.*

We will venture to say, how in the mercy of God to man, this heart comes to a nation, and how its exercise or affection appears: it comes by priests, by lawgivers, by philosophers, by schools, by education, by the nurse's care, the mother's anxiety, the father's severe brow.—It comes by letters, by science, by every art, by sculpture, painting, and poetry; by the song on war, on peace, on domestic virtue, on a beloved and magnanimous king; by the Iliad, by the Odyssey, by tragedy, by comedy. It comes by sympathy, by love, by the marriage union, by friendship, generosity, meekness, temperance; by every virtue, and example of virtue. It comes by sentiments of chivalry, by romance, by music, by decorations, and magnificence of buildings; by the culture of the body, by comfortable clothing, by fashions in dress, by luxury and commerce. It comes by the severity, the melancholy, and benignity of the countenance; by rules of politeness, ceremonies, formalities, solemnities. It comes by the rites attendant on law and religion; by the oath of office, by the venerable assembly, by the judge's procession and trumpets, by the disgrace and punishment of crimes; by public prayer, public fast; by meditation, by the Bible, by the consecration of churches, by the sacred festival, by the cathedral's gloom and choir; by catechizing, by confirmation, by the burial of the dead, by the observance of the sabbath, by the sacraments, by the preaching of the gospel, by faith in the atonement of the cross, by the patience and martyrdom of the saints, by the sanctifying influences of the Holy Ghost.

The exercise of a nation's heart appears, in its imposing on its own ferocity restraints, in its submitting to checks on the levers and limbs of its strength, in its consenting to be one of the aggregate commonwealth of nations, in its conforming to a public, general law, though in strictness improperly called a law. It appears in the sending and receiving of embassies, and in the forming of treaties of intercourse. It appears in allowing the soldier to judge of the pleas of humanity, in not putting to death the prisoner taken in battle, in alleviating the horrors of the prison, in healing the wounded enemy, in showing the white banner, in signing of capitulations. It appears, &c.

spreads it branches in every direction. I have observed also, that flourish as it may, it must, by laws sacred and immutable, wither and decay after the powerful and repeated touch of truth. It was my lot to hear in parliament a negative upon that Bill, which was intended to deliver this enlightened nation from the reproach of the cruel and disgusting punishment of burning women alive. It was my lot again and again to witness in this House the defeat of those wise and humane exertions which were intended to rescue Englishmen from the disgrace of abetting slavery: but the punishment of burning is no more, and Africa is free. No resistance, no vote of this night shall preven my again appealing to the good sense and good feeling of the legislature and of the country. If I live another year, I wil renew this Bill, with the Bill for repealing the punishment of death for stealing a few shillings; and, whatever may be my fate, the seed which is scattered has not fallen upon stony ground.

The House divided,

For the Bill ......................43
Against it ............................55
Majority against the Bill...—12

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Let us now attend to the conclusions, to which our reflections bring us. They are conclusions as interesting perhaps as the reflections themselves.

Whence the heart of a nation comes, we have perhaps sufficiently explained; and it must appear to what most awful obligations and duty are held all those from whom this heart takes its texture and shape—our king, our princes, our nobles—all who wear the badge of office or honour; all priests, judges, senators, pleaders, interpreters of law; all instructors of youth, all seminaries of education, all parents, all learned men, all professors of science and art, all teachers of manners. Upon them depends the fashion of the nation's heart. By them is it to be chastised, refined and purified; by them is the state to lose the character and title of the beast of prey; by them are the iron scales to fall off, and a skin of youth, beauty, freshness, and polish, to come upon it; by them it is to be made so tame and gentle, as that a child may lead it; by them, and their fellows and brethren in other nations, are to be reported from sea to sea the sounds which issue from the throne in Sion—the judgment among the nations, and the rebuke of many people—the lessons of the monitor judge and teacher king; by them are to come the glories of the reign of Jesus Christ, when no iron weapon shall be found in any land but the ploughshare and the pruning hook.

How ought they then to consider what their temper and conduct are; how ought they to reflect, that by mistake, by folly, by rudeness, by bad example, by corrupt sentiment, by false philosophy, by impenitence, by contempt of law and religion, by any sentiment or action which is base, mean or evil, they are fostering the brutishness of the nation, keeping up contention and strife throughout the world, encouraging war and shedding of blood;—barring from God's mercy their fellow men, the poor, their own dependants, their own sons and daughters—hindering the descent of the Holy Ghost upon earth—delaying the reign of Him who died to save and bless the world!

How ought they to reflect on the guilt of such conduct, which is not confined to one little spot or corner, but reaches and touches by links, which go round the globe, the happiness, the refinement, the peace, the salvation of all mankind now living, and of all future generations! How ought they to reflect on the blessing and reward of a contrary conduct, which is ever contributing to banish to their own place, all malice, wrath, jealousy, envy, revenge, cruelty; which heaps coals of fire on every hard mass, and from iron brings out gold; from brass, silver; from stones, gems—the gold, the silver, and the gems, which form the walls, the gates, and the battlements of the last city to be built—the city of God and his Christ!

The coarse proverbial jest derived from the embowelling of offenders is an instance of the tendency of such exhibitions to produce cruelty in the people.

From *The Wonderfull Yeare* 1603 in
*Phœnix Britannicus.*

"My gorbelly host, that in many a yeare could not without grunting craule ouer a threshold but two foot broad, leapt halfe a yarde from the coarse as nimbly as if his guts had beene taken out by the hangman."

graces the national character by a savage and disgusting spectacle to those by whom it was witnessed; such an enemy is the hon. gentleman to innovation that he will retain even such barbarities, because he finds them established. If the hon. Soli-

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caput abscindatur, et corpus ejus dividatur in quatuor partes, et mittatur ad voluntatem regis: et Deus misereatur animæ ejus." The words of the sentence given by Coke and Hale are not exactly the same as these in the Year-Book.

The prisoner had been attainted of high treason by act of parliament, with many other Yorkists who opposed Henry 7, and had fled to sanctuary; upon which a great question arose for the determination of the judges, who were all assembled in the King's Bench for this purpose. The point of sanctuary being decided against him, the judgment of death followed of course.

Staunford, who was contemporary with Henry 8, and queen Mary, in his Pleas of the Crown, writes that the judgment in high treason is—" d'estre reamesné al lieu dont il vyent, et de la d'estre trahé sur un hurdle jesque al lieu d'execution, et de la d'estre pendu per le colle, et vive d'estre decoupé, et ces entrailles et privy membres d'estre excises de son corps, et comburé deins son view, et son tête d'estre abscise, et son corps devidé in quater parts à disponer al voluntie le roye. Et c'est le judgment d'un homme. Car d'un feme il est auter, d'estre trahé et comburés." The author then shows the difference between this judgment and that for counterfeiting the coin by 25 Edward 3, and by the statute of Mary.[*]

The first volume of the State Trials contains many later examples of judgments pronounced upon traitors, which the reports purport to give in their very words. If we can rely upon that authority, it may be observed that they differ more or less from each other, no two being exactly alike; some in form only, others in substance. They are of different periods from the case of sir Thomas More to that of sir Walter Raleigh.[†]

The judgment in Co. Ent. 361, b. which is of the first year of James 1, and those in Plo. Com. 387, b. and 551, and Rast. Ent. 645, which are of the first of Mary, in the cases of sir Thomas Wyat, and of Robert Dudley, afterwards famous as earl of Leicester, omit the hurdle, and the cutting off the privy parts; and direct the entrails to be taken out of the belly, and burnt while the person is alive. There is the like omission in many cases since; but they order the head and quarters to be at the king's or queen's disposal.

Blackstone writes of the hurdle as a " connivance at length ripened by humanity into law.[*]" A case in Edward 3's reign, before referred to, proves this; and it may be inferred from its expressions that the monks, although they were then a vicious race, had been the authors of this humanity.[†] The judge there, in condemning a criminal, is reported to have given especial order that neither friars nor others should dare to help him with any thing to rest upon in the drawing.

It is to be lamented that the heads of the law or state in modern times should never have felt those sentiments of decency and humanity which the corrupt monks of old could put in practice; by the workings of which our administration of justice might have been purged ere now of a disgraceful and barbarous ceremony. There is a passage related of queen Elizabeth, which shows that her attention was once called to the subject. Several traitors, who had suffered for a conspiracy in favour of the queen of Scots, were executed (as it often happened then) according to the exact and cruel direction of the sentence. The queen being informed of it was shocked, and directed that some of the offenders who remained to be executed should hang on the gallows till dead before they should be cut down. Considering this queen's character, and that she had shown a due sense of the indignity on this occasion, we may wonder that she did not proceed further in the work of reformation by correcting the law itself.[‡]

But it was left for the vulgar destroyers of royalty to make the change which decency required in this instance. In the trials during the Usurpation a new form was directed to be observed, which con-

lence and honour; unless it is unjust to deprive the descendant of an attainted felon of property which was never his own. Indeed, if I am not much mistaken, the hon. gentleman, as he has not thought it necessary to submit to the consideration of the House any arguments upon this subject, has abandoned this as an untenable position; I, therefore, shall not trespass upon your attention by combating what is not defended. The next reason urged by the hon. gentleman appears to me to be equally groundless:—I mean the allegation that corruption of blood emanates from the feudal system, and is not part of the punishment awarded against all, particularly against the higher felonies. I confess that this distinction, partaking as it does of subtlety and refinement, is far beyond the reach of my understanding. Corruption of blood stands upon the same foundation as forfeiture, as escheat, and as the other numerous consequences attendant upon the commission of foul offences: will the hon. and learned gentleman, at this time of day, contend, that escheat and forfeiture do not form a part of the punishment; or will he say that corruption of blood is not of the same essence and does not originate from the same source? I know not where the law or reason, by which this distinction can be established, is to be found. But on a subject of this intricacy and antiquity it is a consolation to me, and will, I am persuaded, be a satisfaction to the hon. gentleman, to hear higher authority than our own; to hear how his opinion differs from the opinion of lord Coke, who, unshackled by any metaphysical refinements, has stated in his manly nervous language, that if the wife of the attainted felon lose her dower, and his children their honours and inheritance, it is because the consciousness of entailing such fatal consequences upon those who are most dear to him may augment the fear of committing crimes by which individual gratification is obtained at the price of public desolation.

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[*] Staunf. P. C. l. 3, c. 19, p. 182.

[†] Howell's State Tr. v. 1, pp. 393, 1032, 1112, 1258, 1331, 1357, v. 2, pp. 29, 31. See also, v. 1, pp. 397, 1086, 1088, some particulars as to *parboiling* the heads and quarters of persons executed for high treason.

[*] Comm. b. 4, c. 6.

[†] 33 Ass. pl. 7.

[‡] 1 Howell's Stat. Tr. pp. 1158, 1160. See in p. 1193 her sentiments of dignity and propriety in the proceedings against her rival the Queen of Scots, whom she studied to keep out of public disgrace upon her trial.

Lord Coke says thus in a passage, which with the permission of the House, and for greater certainty, I will read:

"Aptly is a man said to be attainted, *attinctus*, for that by his attainder of treason or felony his blood is so stained and corrupted, as, First, His children cannot be heirs to him nor to any other ancestor. Secondly, If he were noble or gentle before, he and all his children and posterity are by this attainder made base and ignoble, in respect of any nobility or gentry which they had by their birth. Thirdly, This corruption of blood is so high, that, regularly, it cannot be absolutely salved but by authority of parliament," &c. And again: "It is to be observed, that the judgment against a man for felony is, that he be hanged by the neck till he be dead; but *implicativè* (as hath been said) he is punished, First, In his wife, that she shall lose her dower: Secondly, In his children, that they shall become base and ignoble, as hath been said: Thirdly, That he shall lose his posterity, for his blood is stained and corrupted, that they cannot inherit unto him or any other ancestor. Fourthly, That he shall forfeit all his lands and tenements which he hath in fee, and which he hath in tail, for term of his life: and, Fifthly, All his goods and chattels. And thus severe it was at the common law; and the reason hereof was, that men should fear to commit felony, 'ut pœna ad paucos, metus ad omnes perveniat.' And it is truly said, 'Et si meliores sunt quos ducit amor, tamen plures sunt quos corrigit timor.' And so it is, *à fortiori*, in case of high treason.*"

I think that these sentiments will convince the hon. and learned gentleman that this part of our law is not, as he seems to imagine, a mere technical formality; but that it is as much a portion of the punishment, that it is as much a substantial and constituent part of this law as death itself.

Such being my view of the reasons which have been adduced for these suggested alterations, I have further to ask, even supposing these reasons to be unanswerable, whether this is a time for such alterations? I expected to hear that some grievance existed from the operation of the law: that, whatever might be the theory, whatever might be the substantial or imagined policy of the law, some practical existing evil had been discovered? Can any fact within the memory of man be adduced to call, in these times, for this innovation? In a reign marked by the mildness with which all criminal law, and particularly the law relating to these offences, has been administered; in a reign where the order for the law to take its couse has never been signed but with heartfelt sorrow; are we to turn and slur the clemency of a long and benevolent reign by annihilating the power thus mercifully exercised? And are we to do this when the madness of revolution is but scarce still; when the forms of discipline and devotion are yet only advancing! Is it immediately after such events as the rebellions in America and Ireland: is it possible that, with France yet in sight, a legislature, distinguished through the world for that caution by which its liberties have been, and will, I trust, long be preserved, ought to alter laws framed for the express purpose of preventing anarchy and confusion? With sad lessons before our eyes, that inform as much as they afflict us, scarcely escaped from those horrors that threatened society itself, when moral sentiment is diseased and relaxed, we are required to relax the severity of those laws which have preserved us a name and a nation!

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* Co. Litt. 391, 2 *b*.

Such are my reasons for objecting to any alteration in the laws relating to high treason: and although I look forward with the confident hope that the excellency of our constitution will, from the termination of our arduous contest, appear so conspicuous as to remove all fears of the existence of treason: yet let us not forget that the waves continue to beat some time after the storm has ceased; let us not suppose, whatever brilliant prospects may open before us, that the golden age has returned, and that Europe is suddenly converted into an Arcadia. Let us not at present weaken the efficacy of laws which, if there is not any probability of a recurrence of such crimes, cannot be productive of any injury; and which, if such probability do exist, may have a salutary effect in checking the turbulent spirit ever likely to arise from the extent of our commerce, and from our superabundant population, and even from our liberties themselves. It may possibly be said that the existing punishment, and particularly that part now sought to be repealed, will not have a salutary effect in deterring offenders. Upon this head I shall content myself with the opinions of some of the ablest philosophers, who have made the principles of human action their peculiar study; by whom we are taught that vice may often be most effectually resisted by the influence of our best affections. It is not by personal considerations that you can hope to check the fury of misguided ambition; but by the certainty of poverty and disgrace upon their helpless families, there is a chance that the most hardened may be deterred. These are my reasons for being unwilling to lose this hold over the actions of such men, which the law, as it at present stands, has given to us, and which it is the object of the present Bill to remove.

With respect to the crime of murder, I have only to repeat the same question: Can the committee say, that any thing has occurred to call upon the House to make any or at least such alteration in the law? On the contrary, have not recent occurrences rather called upon us not to relax the severity of the penalties attached to this offence? Do we forget, that in Ireland, and, I say it with great concern, in England, such atrocious murders have of late been perpetrated, that I know not how to reconcile these barbarities with the kindness of our national character? Within the last ten years this country, and even this metropolis, has been stained by murders unknown for centuries. I therefore, for one, will not consent to any relaxation of the punishment for this crime.

I shall not trouble the House with any further observations upon this measure: indeed, as upon a former occasion, I stated my sentiments at length, I should not now have been disposed to interfere. But from that sense of duty by which I am impelled to call upon the committee to pause before we agree to the proposed repeal, at least in its full extent; before we remove any check upon the commission of treason and murder, and particularly such a check as may operate upon minds regardless of personal welfare, I move, as an amendment, that the words "of treason" do not stand part of the clause.

Sir *James Mackintosh*.—It is with unfeigned regret that I am compelled to dissent from the right hon. gentleman, whose name would have weight with me on such a subject, even if I were unacquainted with his character and person. I agree with him, indeed, with respect to the antiquity of the law. It was an inference of legal subtlety, which in the earliest times grew into a penal law; but it is not more ancient than many other parts of the law of England, which, although in general distinguished in the most ancient times by its superior justice and humanity, neither was nor could be exempt from all taint of those ignorant and barbarous ages in which it took its rise. It is not more ancient than the many equally absurd provisions which the good sense of more enlightened times has repealed. It is not more ancient than the torture called 'peine forte et dure.' It is not much more ancient than the writ 'de hæretico comburendo;' nor more ancient than the burning of women for petit treason. It must have been exactly coeval with that mass of grievances and abuses arising from the feudal system, which were swept away by the statute of wards and liveries.

We are called upon by the right hon. gentleman to make out some case of necessity which may justify the alteration of this law. Now, Sir, I really do not know what is meant by a case of necessity in discussing a point of criminal jurisprudence. I can answer the question only by asking another. What necessity was there for repealing the law 'de hæretico comburendo?' What necessity was there for abrogating the torture of 'peine forte et dure?' What necessity was there for changing the punishment of burning women for petit treason?—No necessity, but the necessity of ceasing to be unjust and barbarous; the necessity that a humane and enlightened country should no longer suffer its code to be disgraced, the hearts of its people to be hardened, or their feelings to be excited against the administration of justice; the only necessity which ever can exist for the abrogation of a punishment; but a necessity which must always be considered by good men and wise law-givers as imperious and irresistible. We have been told by the right hon. gentleman of the mildness and lenity which have characterized his Majesty's reign. I most assuredly am not disposed to deny this. But what is the inference made from these just commendations? Why, that no part of the same spirit by which his Majesty has been actuated, ought to influence his houses of parliament; that we are not to embody these principles, of which experience has proved the safety and the wisdom, into a legislative measure; that we are not to adopt the humanity of the King into our laws, and leave it as a security to posterity against the chances of a less lenient governor. This, I presume to think, is a singular inference, and not the most natural mode of showing our respect for the character of his Majesty's reign.

On a subject so plain in itself, and on which so much ability and learning has been displayed on this and on former occasions, in this House, as that of confiscatory laws, I should probably have been content with a silent vote, if I had not felt myself peculiarly called upon to take a part as a native of Scotland, and a representative in this House of a respectable body of Scottish freeholders. The amendment of the right hon. gentleman, which proposes to preserve corruption of blood in treason only, reduces the measure to the exact situation in which it peculiarly affects Scotland; where forfeiture was the ancient law, but where corruption of blood was unknown before the Union, and now subsists only in cases of treason. The committee is aware, that neither in Scotland nor in any other country in Europe was corruption of blood known. It was introduced into Scotland by the stat. of Anne, c. 21, but it was introduced with an express proviso, that neither corruption nor even forfeiture* should endure after the decease of the person then pretending to the crown. We are told by bishop Burnet, a credulous and prejudiced but a very honest narrator, that, upon the faith of this proviso, the members for Scotland withdrew their previous opposition to the Bill. They submitted to it on the assurance, not only that the new law should be temporary, but that the old grievance should perish with it. That they were to be delivered from forfeitures, of which the Scotch parliament had, a few years before,

graces the national character by a savage and disgusting spectacle to those by whom it was witnessed; such an enemy is the hon. gentleman to innovation that he will retain even such barbarities, because he finds them established. If the hon. Soli-

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* "Provided always, and be it further enacted, by the authority aforesaid, that, after the decease of the person, who pretended to be prince of Wales, during the life of the late king James, and since pretends to be king of Great Britain, and, at the end of the term of three years, after the immediate succession to the crown, upon the demise of her present majesty, shall take effect, as the same is, and stands limited by an Act made in the first year of the reign of his late majesty king William the Third, intituled, 'An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' no attainder for treason shall extend to the disinheriting of any heir, nor to the prejudice of the right or title of any person or persons, other than the right or title of the offender or offenders, during his, her, or their natural lives only: and that it shall and may be lawful for every person or persons, to whom the right or interest of any lands, tenements, or hereditaments, after the death of any such offender or offenders, should or might have appertained, if no such attainder had been, to enter into the same."

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caput abscindatur, et corpus ejus dividatur in quatuor partes, et mittatur ad voluntatem regis: et Deus misereatur animæ ejus." The words of the sentence given by Coke and Hale are not exactly the same as these in the Year-Book.

The prisoner had been attainted of high treason by act of parliament, with many other Yorkists who opposed Henry 7, and had fled to sanctuary; upon which a great question arose for the determination of the judges, who were all assembled in the King's Bench for this purpose. The point of sanctuary being decided against him, the judgment of death followed of course.

Staunford, who was contemporary with Henry 8, and queen Mary, in his Pleas of the Crown, writes that the judgment in high treason is—"d'estre reamesné al lieu dont il vyent, et de la d'estre trahé sur un hurdle jesque al lieu d'execution, et de la d'estre pendu per le colle, et vive d'estre decoupé, et ces entrailles et privy membres d'estre excises de son corps, et comburé deins son view, et son tête d'estre abscise, et son corps devidé in quater parts à disponer al voluntie le roye. Et c'est le judgment d'un homme. Car d'un feme il est auter, d'estre trahé et comburés." The author then shows the difference between this judgment and that for counterfeiting the coin by 25 Edward 3, and by the statute of Mary.*

The first volume of the State Trials contains many later examples of judgments pronounced upon traitors, which the reports purport to give in their very words. If we can rely upon that authority, it may be observed that they differ more or less from each other, no two being exactly alike; some in form only, others in substance. They are of different periods from the case of sir Thomas More to that of sir Walter Raleigh.†

The judgment in Co. Ent. 361, b. which is of the first year of James 1, and those in Plo. Com. 387, b. and 551, and Rast. Ent. 645, which are of the first of Mary, in the cases of sir Thomas Wyat, and of Robert Dudley, afterwards famous as earl of Leicester, omit the hurdle, and the cutting off the privy parts; and direct the entrails to be taken out of the belly, and burnt while the person is alive. There is the like omission in many cases since; but they order the head and quarters to be at the king's or queen's disposal.

Blackstone writes of the hurdle as a "connivance at length ripened by humanity into law.*" A case in Edward 3's reign, before referred to, proves this; and it may be inferred from its expressions that the monks, although they were then a vicious race, had been the authors of this humanity.† The judge there, in condemning a criminal, is reported to have given especial order that neither friars nor others should dare to help him with any thing to rest upon in the drawing.

It is to be lamented that the heads of the law or state in modern times should never have felt those sentiments of decency and humanity which the corrupt monks of old could put in practice; by the workings of which our administration of justice might have been purged ere now of a disgraceful and barbarous ceremony. There is a passage related of queen Elizabeth, which shows that her attention was once called to the subject. Several traitors, who had suffered for a conspiracy in favour of the queen of Scots, were executed (as it often happened then) according to the exact and cruel direction of the sentence. The queen being informed of it was shocked, and directed that some of the offenders who remained to be executed should hang on the gallows till dead before they should be cut down. Considering this queen's character, and that she had shown a due sense of the indignity on this occasion, we may wonder that she did not proceed further in the work of reformation by correcting the law itself.‡

But it was left for the vulgar destroyers of royalty to make the change which decency required in this instance. In the trials during the Usurpation a new form was directed to be observed, which con-

against imminent danger, and not an enactment fit to be preserved in good times. The ancient law had been considered and condemned in 1708; it was then doomed to destruction after a fixed period; its principle was pronounced to be inapplicable to the ordinary state of society:—the same declarations were solemnly repeated in 1743. These declarations rest upon the authority of lord Somers, lord Cowper, and lord Hardwicke. The statute of 1799, which perpetuated the temporary law, is the innovation. On the one side is the authority of lord Somers, and of lord Cowper, and of lord Hardwicke;—the sense of the king and parliament;—and the general judgment of the nation during fourscore years, the happiest and most enlightened in the history of mankind.—On the other is the authority of the statute 39 George 3,* passed *recentibus odiis* amidst all the tumult, the anger and alarm of a rebellion just then suppressed in Ireland; a modern experiment of only fifteen years standing.

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* Staunf. P. C. l. 3, c. 19, p. 182.

† Howell's State Tr. v. 1, pp. 393, 1032, 1112, 1258, 1331, 1357, v. 2, pp. 29, 31. See also, v. 1, pp. 397, 1086, 1088, some particulars as to *parboiling* the heads and quarters of persons executed for high treason.

* Comm. b. 4, c. 6. † 33 Ass. pl. 7.

‡ 1 Howell's Stat. Tr. pp. 1158, 1160. See in p. 1193 her sentiments of dignity and propriety in the proceedings against her rival the Queen of Scots, whom she studied to keep out of public disgrace upon her trial.

It has been asked why we do not carry our principles to their full extent; why my hon. and learned friend, of whom I cannot speak without expressing the honour and reverence in which I hold his character, has not proposed the abolition of forfeiture as well as corruption of blood. The objection, I must own, is a singular one; especially considering the high persons from whom it has fallen. My learned friend is perhaps the first man with the obnoxious character of a reformer, who was ever charged by the undistinguishing advocates of establishment with being too minute and circumspect and fearful in his progress. The character given of my learned friend's reforms is just; and it appears to me to be a high commendation, and a decisive proof of the candour and favour to which his proposals for the amendment of laws are entitled, as much by his character as by his learning. His gradual progress in the present case is sufficiently justified by the general maxims of political prudence. But there are also substantial distinctions between forfeiture and corruption of blood. I myself indeed hold all confiscatory laws, I will not say in equal disapprobation, but in equal abhorrence. I agree with the parliament of Scotland, that the first solicitude of the lawgiver ought to be to prevent the innocent suffering "with or for the guilty;" but all others may not be of the same opinion. It is possible to condemn corruption of blood and justify forfeiture. Enlightened and celebrated men have done so. I dare not call the distinction frivolous which was thought solid by sir William Blackstone. Independent of authority and opinion, I must admit that there is a distinction in the nature of things. The law of forfeiture, unjust and pernicious as I consider it, has been adopted, I do not say sanctioned, by the example of most states; but corruption of blood is peculiar to England. It existed as a barbarous sophism in our law until its condemnation in 1708. It remained for fourscore years with its execution respited, and it has since had a renewed existence for fifteen years; but in all these stages and forms it remained peculiar to England; it had no excuse from the general opinion of lawgivers; it had no vindication from the general experience of mankind.

Let it not however be supposed that my learned friend, as it has been most strangely supposed by the right hon. gentleman, has relinquished any of those general arguments against confiscation, which are now called "exploded;" and which he has forborne to urge only because he wished not to repeat, a thousand times repeated tale, "that the innocent ought not to suffer with or for the guilty"—the sacred and eternal maxims of justice, which we now pass over in silence, not because they have been answered, but because they have been urged for ages without the shadow or possibility of an answer. But in forfeiture, bad as it is, the criminal directly suffers the privation of his own property; and, if this were all, justice would have nothing to object. The sufferers in consequence of his forfeiture are his children, the objects of his tenderest affection; and in this there must be admitted to be a sort of efficacy; and although it has detestable cruelty, yet it cannot be said to be either wholly impotent, or for its purpose foolish. But the case is otherwise in corruption of blood: there, for the sake of inflicting the most trivial, evanescent, or rather imaginary suffering on the criminal, his relations unborn, who may never have heard of him or of his crimes, at a period too distant for the possibility of example, are disappointed in hopes which in the ignorance of the obscure crime of a distant ancestor, might have formed the basis of all the plans and arrangements of their lives. I will venture to affirm, Sir, that if a speculator had chosen to illustrate the principle of just punishment by contrast as well as by example, he could not have imagined so apposite a contrast to every principle of just, of efficacious, and of exemplary punishment. If a philosopher were to imagine an Anti-Utopia, which, instead of the visions of benevolence, were to represent the triumph of the principle of evil, he would not fail to make corruption of blood one of its fundamental laws. Forfeiture has its palliations and pretexts; but corruption of blood is a case of exquisite and unmingled injustice, in which the greatest possible suffering is inflicted on the innocent for the sake of a most improbable chance of inflicting the least possible suffering on the guilty. It is presumed that a man, impelled by the most furious passions of the human breast, engaged in the most daring and desperate enterprises, sure in case of failure of the destruction of his own life, is to be arrested in his career by the apprehension that he may, a century hence, deprive an unborn relation of an inheritance of which he has never heard. Most assuredly, Sir, the wildest sophist never ventured to rest the most visionary of his speculations upon assumptions so groundless and ridiculous as those which are now gravely represented by statesmen and lawyers as a sufficient foundation for laws affecting the dearest rights and interests of men.

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* 39 Geo. 3, c. 93. An Act to repeal so much of an Act passed in the seventh year of the reign of queen Anne, and also so much of an Act passed in the seventeenth year of the reign of his late majesty king George the second, as puts an end to the forfeiture of inheritances upon attainder of treason, after the death of the Pretender and his sons.

We are called upon to name instances of the unjust operation of this principle. I think the honour of the law of England is a sufficient reason for its repeal;—but one instance of the injustice which it works has been mentioned by my learned friend when he moved for leave to bring in this Bill. Another was lately mentioned to me by a right hon. and learned friend (Mr. Plunkett) who has been called by his professional duties to his native country; and who, if he were here, would himself have stated it with the eloquence peculiar to himself, and with the authority belonging to his great talents and great character. It was the case of an officer in his Majesty's service, who fell in battle against the Irish rebels, and whose children were deprived of their inheritance by the attainder of one of his relations engaged in that rebellion. It was not enough that the children of this gallant officer were deprived of the care and affection of their father; they were reduced to beggary by the law of that country in the defence of which he fell, upon the very reasonable presumption that a leader of the rebellion was likely to be deterred by tender regard for the children of a relation against whom he was to draw his sword in battle, and whose duty it was to destroy his life! Will it be said that there is a remedy against all these inconveniences by an application to the bounty and clemency of the crown, at least in that great majority of cases where the land will escheat to the sovereign? Will the right hon. gentleman so far forget the English sentiments which belong to his name and his blood, as to offer such a topic to the House? Is it nothing that innocent children should be suitors and petitioners for what they ought to enjoy by law? I impute no harshness to the exercise of such prerogatives; I believe that the spirit of the age and the nation would render it impossible: but is it fit that the anti-chamber of a minister should be crowded with suppliants for the boon of their natural inheritance? Is the spirit of independence nothing? Is the pride of conscious right nothing? Is it no evil to debase and enfeeble all those high sentiments, flowing from freedom and from justice, which have made us what we are, and have given us our place amongst nations?

I should have said nothing on the part of this measure that relates to felony, if I had not been called to that part of the subject by a singular argument of the right hon. gentleman. Struck and afflicted, in common with other men, at the number and atrocity of murders lately committed in this metropolis, and of which the horrible details made some parts of it appear rather like dens of savages than the civilized capital of an enlightened country, the right hon. gentleman gravely argues that one of our serious securities against these crimes is this principle of corruption of blood; that these desperate ruffians, who were not deterred from following their savage passions, and supplying their clamorous wants, by any regard for their own lives or the lives of others, would be withheld from the perpetration of such crimes by the apprehension of the misfortune likely to accrue to their posterity fifty or a hundred years hence, in the loss of those ample inheritances, to which they would otherwise have been entitled.

To conclude, Sir, let me once more remind the Committee of the condition of this country when our ancestors thought fit to tolerate this unjust severity even for a limited time. With my present opinion, firmly convinced as I now am, that the Protestant succession was the bulwark of the liberties of England, notwithstanding my abhorrence of confiscatory laws, if I had been then alive, I might have voted for the statute of Anne, considering it rather as a menacing proclamation than as a penal law; considering also that the discussion was a trial of strength between the friends and enemies of the House of Brunswick, and that the practical effect of the measure at the time was that of a re-enactment and ratification of the Act of Settlement. These were the times in which this principle was suffered to continue. The right hon. gentleman asks whether the present be times in which we ought to repeal it? Lord Somers must answer for me. He has determined that it was an unwise and unjust law "in good times." When will these good times come, if we do not now see them? Was there ever a moment of more perfect unanimity, of such general security, joy, and triumph? Never can any moment be more favourable for an extensive act of grace, which might repair the consequences of former attainders, under which the deserving descendants of many illustrious families labour;—for removing every brand of civil convulsion from the face of our happy society, and for effacing those few remains of ignorant barbarism which deform our code of state crimes, on the whole the most reasonable and humane in the world. It is at this moment, Sir, that the right of nations to be governed by "strong and liberal institutions adapted to the knowledge of the present age" has been proclaimed by a great monarch, whose name it is impossible to pronounce without catching some portion of that gratitude and reverence with which his actions have filled all Europe. These important words were uttered at the moment of the most splendid triumph recorded in history by the deliverer of Europe from military tyranny: by the restorer of the independence of nations, including that of France, without whose substantial and vigorous independence Europe can have no balance, and without whose internal tranquillity she can enjoy no secure repose: by him who has taken so glorious a revenge of those who were his enemies, that in spite of all the calamities and disappointments of the last 20 years, we once more venture to entertain a faint and trembling hope that the French nation are about to atone for their faults, and to be comforted for their sufferings, by laying the foundations of a just and (why should I in this House fear to add?) a free government, on which the noble edifice may be slowly raised by wisdom, and by virtue, and by time. If these great expectations should, even in some measure, be realised, we may hope that we at least have seen the last military despotism; the last sudden and violent revolution; the last rancorous and fanatical war: and the last as well as the most just and generous of conquests.

The *Solicitor General* (Mr. Serjeant Shepherd).—In rising, for the first time in this House, I must trust to your kind indulgence (Hear! hear!) in my endeavour to submit to your consideration my reasons for dissenting from the arguments of the hon. and learned gentleman who spoke last.

If I rightly understood his reasoning, it was contended that the proceedings of the legislature in the year 1708, with respect to the corruption of blood, were an innovation upon the common law, and that the eminent statesmen of the last century were averse from any admission of the corruption of blood, except as a temporary expedient in cases of treason. How my hon. and learned friend could arrive at this conclusion I certainly am at a loss to discover; for, upon the slightest consideration of the statute, it must, I think, appear that, so far from being an innovation, it was a restoration and re-enactment of the law as it stood previous to the year 1708 when the Act passed the legislature. It was not remedial but declaratory. How, upon any other principle, can it be supposed that corruption of blood continued attached to attainder for felony? Does my hon. and learned friend imagine that the great statesmen to whom he has alluded thought it expedient that this stigma should be permanent in the case of common felonies, but temporary only in the case of treason? The conclusion at which I should have arrived would have been far different. I should have inferred that, as corruption of blood was suffered to continue in cases of felony, it was clear that it was not condemned in all cases. I should not have supposed that these eminent statesmen thought it requisite to provide greater security against the commission of common felonies than against high treason. I should not have thought that the traitor was a greater object of legislative protection than the felon; or that a temporary promulgation, a peculiar notification of a law, was intended by the legislators to be construed into a virtual repeal: and if these my conclusions were not adopted, I should have asked whether a greater concession could fairly be expected than that this provision was introduced as a sort of compromise between the then conflicting parties, with an understanding that the permanent effect of the law should be left to the calmness and consideration of future times? The argument, therefore, of the hon. and learned gentleman appears to me wholly to fail, and to leave the question untouched. Notwithstanding this argument, I cannot but think that the question "Is it or is it not expedient that this punishment should continue part of our law?" remains unaltered. But even supposing the account given by the learned and hon. member to be correct as far as it relates to Scotland, may I venture to ask, by what sort of generalization does it follow that the eminent authorities whom he has cited passed the same condemnation upon the ancient law of England. If they did, it is, to say the least, very singular that in the reign of George the 2nd the term of its operation should have been extended. To this, indeed, it has been said, that this extension was permitted upon the same principle on which it was originally introduced; and that the legislature, which thought this sanction necessary during the life of the Pretender, considered the necessity as not altogether removed during the lives of the Pretender's descendants. Be it so. But then is it not marvellous that in the year 1799, when all the descendants of the Pretender were dead, and no probability existed of any interruption of the tranquillity of this country from their claims, that no ingenuity then discovered that this law was an innovation, and, upon that ground, objected to its being made a permanent enactment? The fact is, that the temporary provision was the innovation, originating in a compromise between the contending parties: and these contentions being, happily for us, at an end, I cannot but think it is fit that the law should be restored to its ancient form.

The hon. and learned gentleman has urged upon us the repeal of various oppressive laws as a reason why the antiquity of a law ought not to be considered as an obstacle to its abolition:—he has reminded us of the writ "de hæretico comburendo," of the burning women for petit treason, and of the "peine forte et dure." In the propriety of having repealed these laws there cannot, I am satisfied, be any necessity for me to state that I concur as fully as my hon. friend; but I cannot agree in the general conclusion which he has deduced from these wise instances of legislative interference. I certainly am ready to admit that the antiquity of a law is not of itself conclusive evidence of its justice and expediency. But the antiquity of a law, so far from being excluded from our consideration, ought, as I think, to raise such a presumption in its favour, that every legislature, calmly and deliberately studious of the public welfare, ought to look with great jealousy upon any proposed innovation. Upon the antiquity of the law of corruption of blood, notwithstanding, the ingenuity of the hon. gentleman, no doubt can, I conceive, be entertained: but it is not in its antiquity alone, much as from this cause it is entitled to consideration, that this law stands: it is supported, as it appears to me, upon the frequent approbation of the legislature, as well as upon the principle on which it is founded.

The general law of corruption of blood has not been regarded by parliament as a dead letter; but has for ages, and from time to time, been recognised by the legislature by a variety of laws to be found upon our statute books; and by this recognition of the general principle of this law, it has to my mind been confirmed and strengthened with the authority of a re-enactment. The general law of corruption of blood was recognised so early as in the reign of Henry the third, in a statute which passed in the ninth year of that reign, and where there are peculiar provisions respecting escheat. From that Act of parliament down to the present time there are a variety of instances of the same recognition. Amongst others, it cannot escape our recollection that, in the creation of recent felonies, there are frequent exceptions of corruption of blood; exceptions which of themselves recognise and confirm the law itself. From the antiquity then of this law, from its repeated recognition by the legislature, not only in the ninth of Henry the third, one of the earliest in our statute-book, but during the long interval since that period and down to the reign of his present Majesty, in which it was again confirmed—I do say, not indeed that we are precluded from an examination into the soundness of the principle of this law, but that we are called upon not hastily, not unadvisedly, to relax a law unattended with practical evil, and which may have been productive of incalculable good. Let it be remembered, too, that the operation of this law is confined to a well-convicted traitor; and it will, I am sure, be admitted that a well-convicted traitor is not entitled to much consideration from this House or from the country.

But it is not the antiquity or the recognition of this law that alone demands its preservation. It stands as firm upon principle, as it is entitled to respect from its long duration.

It has been said that, from the nature of this law, its severity is not confined to the offender, but extends, after his death, to his innocent posterity. Let us not be misled by such appeals. The infliction of punishment is always a cause of sorrow. It is a sad necessity to which, for the preservation of the community, we are reluctantly obliged to resort. It would be well if the obligations of moral duty were sufficient to curb the licentiousness of vice and controul the turbulence of misguided passion. But as long as crime exists it must be restrained. It is not the strength of an individual but the strength of society which must prevail.—The infliction of punishment is, I say, always a cause of sorrow. It is so even when it falls only upon the guilty. Far deeper must be the sorrow for misery which the guilt of an offender entails upon his family:—but the question is in both cases the same.—Is it necessary for the preservation of society? That it is, I am fully convinced. There are men who, heated by ambition or infuriated by malice, are self-regardless. The threat of personal injury is no obstacle to the madness of headlong passion: nay, it sometimes, from a sort of false courage, has been known to augment it. It is not death alone, but the bitterness of death, by which such offenders can be arrested in their progress. And are we, from our own distress, not to call in aid the sympathies of mankind to check the excesses of guilt? Are we not to controul the worst passions by the influence of the best affections? The effect of such influence upon the minds of parents may be, in some sort, conceived by the distress which strangers feel in investigating the principles of the law itself. I am, therefore, convinced that this is not any reason why corruption of blood ought to be taken away upon convictions for treason.

The hon. and learned gentleman, aware of the consequences which must follow from his reasoning, has judiciously allowed that, if you remove corruption of blood, the abolition of forfeiture ought to follow. If so, I beg to ask to what length the hon. and learned gentleman purposes to push his plans of reform? Why, let me ask, instead of changing by piecemeal, instead of altering the edifice brick by brick, does not my hon. and learned friend come forward and at once apprize parliament of the full extent of his proposed alterations? When this is done, the House will not have any difficulty in determining upon the expediency of his plans, and how far we ought to countenance these changes: but, till then, we ought I think cautiously to look upon these proposals.

With respect to the case of the officer in Ireland, to which such a forcible appeal has been made by the hon. and learned gentleman, I shall only say that I cannot think it a fair mode of reasoning, to require that general laws should be repealed, because in a few particular instances their effect is attended with hardship. This has been foreseen by all lawgivers, who, knowing the infinite subtlety of human action, have not been unacquainted with the impossibility of including every case within any law: and, by our constitution, we well know that a provision is made to diminish the evil by vesting in the crown a power to suspend the general operation of laws when likely to be productive of individual hardship. Is it necessary for me to ask the hon. and learned gentleman, whether, in modern times, the crown has not always interfered in favour of mercy? I will venture to say that the use which has, in the cases of escheat, been made during this reign, of this prerogative, has not been to augment the public revenues, but first to secure the creditors of the sufferer, and then to rescue his family from that plunder to which upon his death and the wreck of his fortunes, they would have been exposed.

With respect to corruption of blood in cases of treason, I am, therefore, decidedly of opinion that it ought not, on any account, to be taken away: and then, as to murder, it appears to me to be unnecessary to add to the observations which have already been made; indeed I cannot think that a convicted murderer is a person for whose welfare we can feel much anxiety. I therefore shall support the amendment.

Sir *Samuel Romilly*.—The speech of my hon. and learned friend has given me much concern, mixed however with some satisfaction. I am concerned to find that he is opposed to me, and I am still more concerned to learn that I am to have him for an opponent to other measures, for the improvement of the law, which I may hereafter bring forward; but I feel satisfaction in finding that his opposition will be conducted with that liberality which he has evinced to night, and which any body who knew him would have expected from him.

I cannot, Sir, consent to the alteration in the Bill which has been proposed by the right hon. gentleman; not that I am in the least disposed to render lenient the laws against treason and murder, but because it appears to me that corruption of blood is not a fit punishment for any crime, and that it has none of the properties of punishment. Punishment should be inflicted on the guilty, but this falls entirely on the innocent. Punishment ought to follow soon after the commission of the crime, that the idea of both may be connected together, and that the punishment may operate to prevent crimes in future: but corruption of blood often produces its effects many generations after the crime has been committed, and when the crime and the criminal have been long forgotten. Whether punishment should be inflicted or not, ought never to depend upon the pleasure of private individuals, and those unconnected with the person who has suffered by the crime; but corruption of blood to interrupt the transmission of an estate never can take effect but when the ancestor is negligent enough to die without a will; for he is allowed to devise the estate to the very persons who are not permitted to inherit from him; so that it depends upon accident or neglect, whether this shall or shall not be a punishment. All punishments by the constitution of this country the king has the power of remitting; but corruption of blood he cannot pardon, because it is considered merely as escheat, and in many instances it confers rights not on the crown, but on private individuals. When my learned friend stood forward to preserve this part of our law, I did, I confess, expect that he would at least have taken notice of these difficulties, and have given some reasons why a punishment so anomalous, so much at variance with every other part of our criminal law, should still be continued as a part of it.

If this be a fit law, it is fit that it should be the law of every part of the kingdom: there is no reason why treason and murder should not be as effectually prevented in Kent as in every other county of England; and yet in Kent, where the custom of Gavelkind, the ancient law of England, prevails, there is no corruption of blood for any offence. The right hon. gentleman was mistaken when he supposed that this was amongst the most ancient of our laws; it was unknown in this country till it was introduced with other oppressive refinements of the feudal tenures by our Norman princes. But the antiquity of the law is really not worth inquiring into; the more ancient any criminal law, the less likely is it to be founded on just and rational principles. Strange indeed would it be, if the experience of ages and the progress of the human understanding had improved every science but that which is, of all others, the most important to mankind, the science of legislation.

The Solicitor General has denied that the great men whose authority my learned friend near me has relied on, those who framed and supported the Act which declared that corruption of blood should cease upon the death of the descendants of the Pretender; he has denied that their authority can fairly be cited as condemning the doctrine: but he says they left it to prevail in all cases of felony, though they consented to abolish it after a time in the case of treason; and it would be a libel, he says, upon them to suppose that this, which was to remain the law as to the less offence, was not, according to their intention, to be also the law as to the greater. This inconsistency, however, there certainly was in their proceeding, since they left corruption of blood permanent in the case of felony, though they made it temporary only in the case of treason. But no doubt they foresaw, that when it had ceased to be the consequence of treason, it would necessarily be abolished by the legislature as a consequence of felony. Such Mr. J. Blackstone understood to have been their view of the subject; for in the last chapter of his Commentaries, where he passes in review the several changes and improvements which have successively taken place in our laws and constitution, in enumerating the beneficial alterations which have been made since the Revolution, he mentions, after the Bill of Rights, the Toleration Act, and the Acts for securing the independence of the judges, and for regulating trials for high treason, "the hope that has been afforded to posterity, that corruption of blood may one day be abolished and forgotten." Such was the opinion which this learned judge entertained of those laws, and so important did he think it that this doctrine should be abolished!

When indeed I am charged, as I have been, with a desire to alter what has been so long the law of the land, and which is represented as so valuable a part of it, let me at least be allowed to say that I have the fullest authority of Mr. J. Blackstone, that this alteration is most desirable. "This corruption of blood," he says, "is one of those notions which our laws have adopted from the feudal constitutions at the time of the Norman conquest; and as every other oppressive mark of feudal tenure is now happily worn away in these kingdoms, it is to be hoped that this of corruption of blood, with all its connected consequences, not only of present escheat, but of future incapacities of inheritance, even to the twentieth generation, may, in process of time, be abolished by act of parliament. And indeed the legislature has, from time to time, appeared very inclinable to give way to so equitable a provision, by enacting that in certain treasons respecting the papal supremacy and the public coin, and in many of the new made felonies created since the reign of Henry the 8th by act of parliament, corruption of blood shall be saved. But as in some of the acts for creating felonies (and those not of the most atrocious kind) this saving was neglected or forgotten to be made, it seems to be highly reasonable and expedient to antiquate the whole of this doctrine by one undistinguishing law."

I did not, Sir, expect that upon this occasion we should have had any discussion upon the law of forfeitures. That law, whatever be its merits and whatever its defects, is wholly untouched by the Bill now under our discussion; and forfeitures will take place after this Bill passes into a law, in the same manner and in all the same cases as it does at present. It was for this reason that, when I introduced the Bill into the House, I omitted to say any thing of the law of forfeitures; and from this silence it is that the right hon. gentleman infers that I admit that [the argument formerly used as to the injustice of a law which punishes children for the crime of their father is to be considered as an exploded argument. So far am I from considering it as exploded, that I should rather say with my hon. and learned friend near me, that it is an argument which remains unanswered, and is unanswerable.

All confiscations forming part of a sentence by which death is inflicted are founded, in my opinion, upon the greatest injustice. To confiscate the property of the criminal whose life is left untouched, is to take from him the means by which the enjoyments and comforts of life are supplied; but if the law deprives him of life also, the forfeiture can only affect those whom he leaves behind him. Upon them alone the punishment falls; and if the offender be at all affected by it, it is only as he may feel and be afflicted for them. Almost all punishments, indeed, extend beyond the criminal against whom they are directed. The greatest criminals have often deserving relations and connexions who sympathize in their sufferings, and who, though perfectly innocent, thus endure a part of the punishment: but this arises from the necessary imperfections of all human institutions. In the law, however, of forfeiture, this, which is an unavoidable evil, but which all wise legislators would if it were possible avoid, is the very principle upon which the law proceeds. The direct punishment is inflicted on the innocent, and it is by sympathy alone that the guilty is affected, if he be at all affected by it. To the most obdurate and hardened it is no punishment at all; to the less criminal, to those whose minds are not callous to all sense of virtue and of humanity, if to any, it can operate as a punishment. You choose for the instrument of your moral tortures the best feelings of the human heart, and aggravate and enhance your punishment in proportion as the subject of it is less an object of detestation.

M. de Tourreil, a French lawyer who lived under Louis 14, and who was greatly distinguished as a man of letters and a scholar as well as a lawyer, in an elaborate defence of forfeiture, says, "Il faut percer le cœur du père dans le sein du fils." A more horrible sentiment can hardly be imagined, and yet this is without disguise the law of forfeiture. It is true that the defenders of this law, when they are told of those countries in which children were made by their deaths to atone for the crimes of their fathers, express horror at such examples, by which they only show that it is the degree not the nature of the injustice at which they are shocked. They would not consent to do so great a wrong as this, and yet every argument that they use is as well calculated to justify that greater wrong, as the inferior injustice to which they are willing to become parties.

A passage was cited the other night from the "Considerations on the Law of Forfeitures," as high authority upon this subject. I have the greatest respect for the memory of the author of that tract; but from all that I have heard of his great talents and endowments, I cannot but think that it will be much to be lamented if it is by that work principally that he shall be known to posterity. The great argument upon which he relies is, that inheritance is to be considered as a right in the ancestor of transmitting his estate to his posterity, and that of that right he may justly be deprived for his crimes. The power of alienation by devise or otherwise is properly considered as a right; but how the suffering property to go in the course which the law has ordered can be so considered, it is very difficult to conceive. A right is that which may or may not be exercised; but the course of descent from one from whom the power of alienation is taken away, is that over which he has no controul, and which he can neither direct nor prevent; and yet by this artificial subtlety of depriving a criminal of the right of transmission, it is that this law of forfeiture has been principally defended. Upon the subject of corruption of blood the author of that work has himself declared in a letter to Mr. J. Blackstone*, which has been already mentioned in this House, that he did not mean to give any opinion against the expediency of abolishing it.

Both the gentlemen say that we have in the mild and merciful administration of justice which has prevailed during the present reign, a sufficient security that this law will not be used oppressively; and they add that there can be no doubt that in the case which has been stated to have occurred during the last rebellion in Ireland, the crown restored the estate to the child of the officer who had fallen in resisting the rebels. Why, Sir, in many cases the crown has not the power to do this; and the very gentleman who thus reminds us of the clemency of his Majesty, as that on which we may safely rely, in the same speech tells us (with what consistency it will be for him to show) that we should remember that by such a law as this we shall take away the profit of escheats from lords of manors. It is indeed the peculiar absurdity of this as a penal law, that it is not forfeiture to the crown, but escheat to the immediate lord; that whether it shall be inflicted, and to what extent, depends not on those who are acting on behalf of the public and responsible for what they do; but on private individuals, who may be governed only by their own narrow views or immediate interests.

My learned friend has said that he objects to this mode of proceeding, to thus bringing these subjects one by one before the House, and he says that he should be disposed to say, Tell us the whole extent of what you intend; and the right hon. gentleman the other night said that I ought to present my whole system at once; or, in other words, that I should come down to this House, and propose for its consideration an entire new criminal code. Now, Sir, I have no intention to adopt any such course. In the first place I am not presumptuous enough to suppose myself qualified for any such task; and in the next place, if I were, I have no new system to propose, nor do I think that any is wanted. As a general system, I have as much admiration and respect for our criminal law as the gentlemen themselves can have. In that system, however, there is, in my opinion much which calls for improvement; and as I am not on the one hand vain enough to think that I could substitute a better in its place; so, on the other, neither will the observations of the learned gentleman, nor those which I have heard in other places from persons whose eminent stations give their sentiments the weight of authority, prevent me, as long as I have a seat in this House, from drawing from time to time the attention of the House to particular parts of the law which may seem to me to admit of and to require alteration, improvement and reform. It is in this way, as it appears to me, that any exertions of mine can be most usefully made. Great and extensive improvements and reforms cannot with much prospect of success be undertaken by those who are not in official situations. Success in such attempts is reserved for those who are advanced high in authority over their fellow subjects: and it is this privilege alone; it is the power afforded them of being extensively useful to their fellow creatures, of increasing present, and sowing the seeds of future happiness; of being faithful servants of their country, and disguished benefactors to mankind, which can make high and eminent stations, to any well constituted mind, objects of ambition.

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* See sir James Mackintosh's explanation, p. clxix.

The right hon. gentleman asks, if this is a proper time to bring forward these innovations. Really, Sir, I know nothing in the present condition of this country which makes such a measure unfit now to be entertained: nay, on the contrary, if ever there was a time in which it was peculiarly proper to entertain and encourage any attempt to reform our laws, and to improve the condition of the people, it is the present. Long has Europe been a scene of carnage and desolation. A brighter prospect has now opened before us: a wiser policy than that which has long prevailed is now likely to be adopted: the jealousies and ill will which have prevailed between rival states are likely to subside, and nations will begin to discover the sources of prosperity to themselves in the prosperity of their neighbours; and in the liberties of surrounding countries additional securities for their own. The conquest of territory and the trophies of war will cease to be objects of ambition. But, as has been nobly said by the greatest poet that this country, or perhaps the world, has produced—

——Peace has her victories
Not less renowned than those of war—

Victories over those baneful prejudices, and mistaken notions of policy, which have in all ages been nearly as destructive of the happiness of men as the sword of the conqueror—Victories, such as this nation obtained, when by us its representatives it proclaimed to the world that there was an end to that lucrative but cruel trade in human liberty and life, in which we had too long participated—Victories where the shouts of triumph and of thanksgiving ascend to heaven pure and undisturbed by the groans of the dying, or by lamentations over the dead!

One thing more I ought to take notice of: The right hon. gentleman says, that no case has lately occurred, which shows any inconvenience from this law. Sir, it is not necessary to produce any such case, since it is upon general grounds, and not in respect of any particular occurrence, that this interposition of the legislature is called for. The truth, however, is, that a case has very lately occurred, and is still depending, in which the crown has, as I think very harshly, insisted upon a claim founded on this law. In the reign of George the second, a woman was convicted at Oxford of a murder. An estate which devolved upon her, has been held from that time to the present by different purchasers who have paid the full value for it; and now, at the distance of above half a century, the crown has set up a claim to the estate, as having escheated to the crown by the attainder of the murderer. But the most singular circumstance is, that the person who has given to the crown the information on which it is proceeding, is the very woman who was attainted, and who, having received a pardon, is now at a very advanced age still living. And the circumstance in the case which appears to me to be one of peculiar harshness is this: The present possessor of the estate, a Mr. North, desired that he might be permitted to disprove the fact on which the claim of the crown was founded,—not the fact of the attainder, for of that there was no doubt,—but the alleged fact, that the estate was held of the crown,—he insisting that it was held of another lord, and that the escheat was to him, and not to the king. Although the inquisition which had been taken was an *ex parte* proceeding, in which Mr. North had had no opportunity whatever of defending his property, the crown resisted his request; insisted that the estate should be taken from him, without allowing him to make any defence. It was not till after a hearing in the court of chancery, in which I happened to be counsel for Mr. North, when the court decided against the crown, that Mr. North was allowed to traverse the inquisition, or, in other words, to be permitted to defend himself, and to show by the evidence in his possession that the crown had no title. The traverse went down to be tried at the last assizes, but the trial has been postponed. What in this proceeding can be found calculated, as all punishments should be, to prevent the commission of crimes? As a penal law, this cannot be justified: on no other principle does any one attempt to justify it, and I therefore confidently hope that it will be abolished.

The *Solicitor General.*—I rise merely to correct a mistake of my hon. and learned friend with respect to this case of Elizabeth Wisdom—as, unless I have been much misinformed, Mr. North purchased the estate with full knowledge of the objection to the title. It was, I believe, the son of the woman who committed the murder; and the mother had intimated her intention to endeavour to substantiate a claim. She was informed by some purchaser to whom it had been transferred, that she could not enforce it in a court of justice. The crown in consequence interfered, and claimed the property as an escheat, to prevent its being withheld, by a purchaser acquainted with the nature of the title, from the descendants of the offender. This, so far from being oppressive, ought surely to be cited as an act of justice and mercy.

Sir *S. Romilly.*—My honourable and learned friend will pardon me for saying that he has been misinformed as to the facts of this case, with which, from having seen the proceedings before the Lord Chancellor in the cause where I was concerned as counsel, I am well acquainted. It certainly was not the son but the mother who was convicted of the murder: and with respect to the other statements made by my hon. friend, I can only say that, if they existed, they did not appear when the matter was publicly discussed upon the application to the court of chancery.

Sir *J. Mackintosh.*—It is perfectly obvious that the case of this woman is equally conclusive against the law, on either of the statements which have been made of the facts. On the one statement, the prerogative was employed to defeat a fair purchase; on the other, it was necessary to prevent injustice.

I cannot help remarking, that of the two authorities, ancient and modern, usually cited in justification of confiscatory laws, the ancient is now generally considered as spurious, and the modern is in a great measure disclaimed by the author. The letter of Cicero to Brutus is rejected by the most learned critics; and Mr. Yorke, in a letter to Mr. Justice Blackstone, in the maturity of his judgment and his fame, more than twenty years after his Considerations on the Law of Forfeiture, requests the learned commentator to strike out all reference to "a juvenile work," and particularly states, that it was his object to explain the principle of the law, without enquiring whether it had not been "carried too far." As this letter had reference to those parts of the Commentaries which related to corruption of blood, it is clear that Mr. Yorke did not desire to be any longer considered as a patron of that law; that he did not regard his riper judgment as pledged by the argument of a juvenile publication for a temporary purpose; and that his great authority is to be deducted from the topics which are pleaded in support of confiscation in general, but more especially of corruption of blood.

Mr. *Preston.*—It is incumbent on every lawyer to pause before he consents to the rejection of a word of the measure now under consideration; or before he suffers a single word to be introduced into the Bill, which may have the effect of narrowing or curtailing, in the smallest degree, the operation of the repeal now proposed.

I lament at all times the system of half measures, which would repeal a law in part, and in part leave it in operation: as was done in the Nullum Tempus Act, which, though intended as a boon to the public, and an act of munificence from the crown, cannot, on account of the qualifications imposed in the act to the benefit of this law, operate with effect, in one instance out of a hundred of those to which, according to my apprehension, it was intended to apply, for the relief of the subject.

Every lawyer considering the question before the House, must in the first place bring the ancient law to his recollection. Then, and then only, can he be enabled to judge how far the present measure is or is not an innovation upon the ancient law of the land. For my part, as far as I understand the subject, I think that, to pass the present Bill, would instead of being to innovate upon the ancient law, be to restore and revive that law. Whoever chooses to pursue the subject, will find that escheat was unknown to the law of this country in the time of our Saxon ancestors; it was introduced by the Norman conqueror. Escheat brought with it the barbarous practice, operating not against the offender, but against the mesne lord, of the forfeiture of the year, day, and waste; a waste carrying with it every possible spoliation, by destroying the houses, ploughing up the meadows and pastures, and rooting up the woods; thus changing the condition of the property by every species of deterioration.

It was said that escheat was part, and a necessary part of the punishment: if so, all I can say is, that it is less like punishment than injustice. The year, day, and waste did not operate as a punishment against the offender. It operated against the lord; and the escheat punished the heirs, and not the offender. No escheat took place in the lifetime of the offender, his death must precede the completion of a title by escheat. On attainder for treason, every thing the party can enjoy is forfeited immediately on the attainder, and with relation to the time of the offence committed.

In felony, the extent of the forfeiture is as to real property of the rents and profits of the lands, for the life of the attainted person, and the year, day, and formerly waste; and this waste was enforced with so much rigour and wantonness, that it was the subject of one of the articles in the Magna Charta of king John, and repeated in the Magna Charta of Henry 3.

As the law of corruption of blood now stands, brothers of an attainted person may be heirs to each other, and yet neither of them can be heir to his uncle, or to his grandfather; and in consequence of sudden death, or accidental revocation of wills, the grandson, or the nephew, may by reason of the attainder of his father, and though he had suffered the judgment of the law, be excluded from the inheritance of the uncle or the grandfather. Thus the father does, if escheat be punishment, forfeit that which he never had to enjoy, and that which he never could give.—Even supposing a man to be convicted and attainted, and a pardon to be granted to him, still he and his children born before the attainder, remain liable to the disabilities arising from corruption of blood. The person attainted, though pardoned by the king, never can be heir to any one: neither can any of his children born previous to the attainder, be heir to his pardoned father, or to any one who was the ancestor of his father. But the children born after the pardon are inheritable to any ancestor, and even to their father; since, from the time of pardon, the father becomes as it were a new man: corrupted as to his blood upwards, but from the date of the pardon, his blood is not corrupted downwards, as to children born after the pardon. Even after the pardon, the children in existence before and at the time of the attainder, though in themselves equally innocent with those born after the pardon, can never be heirs either to their parent thus pardoned, or to any one of his ancestors.

Therefore, when an attainted person dies, having a pardon in his hand, and leaving a son born previous to the pardon, and also a child born after his pardon, the estate must escheat. Nothing could descend to the youngest child, because the son born before the attainder was alive, and disabled. But if the eldest son born previous to the granting of the pardon, should have died in the lifetime of his father, and without issue, then and then only can the youngest son inherit. And is this a thing fit to be continued for the regulation of property in a country eminent for the justice of its laws? and is it not reasonable, that a law introduced from its fitness to a state of society, founded on military tenure, and the necessary connections between the lord and tenant, should be altered, and adapted to the times when we are become a commercial country? Nor is the law equal or general in its application. In Kent, felony is not a cause of escheat. Besides, estates tail may be enjoyed by the descendants of persons attainted of felony; and a man may take as heir to an estate tail, though he himself or though his father had been attainted of felony, or even of treason. Thus supposing an estate to be settled on a man and the heirs of his body, if that person be guilty of treason and convicted and attainted, there would be a forfeiture of the estate. But if the same person be guilty of felony and be attainted, that is not a forfeiture of more than the rents for his life. His issue may take after his death. Nor does the law, arising out of the corruption of blood, confine its operations to the issue claiming as heirs by right of descent. It even affects the issue, as entitled by purchase. For example: if a grandfather make a gift to the right heirs of his son, under which the descendants of the son are to take as purchasers; though the son be dead before the gift, or should afterwards die, the descendants of the son would be excluded from the benefit of this gift; on the technical ground that the blood was corrupted, and the children did not for that reason answer the character of heirs. If one of two daughters be attainted, and then the father die intestate, one grand-daughter may take half of the estate as half an heir; and the other half of the estate will escheat. But if the gift be made by the grandfather to the right heirs of his son, and one of the grand-daughters be attainted, the grand-daughter who was not attainted would be excluded, merely because her sister was attainted.

Also though the descendants may take as heirs under an entail, notwithstanding the attainder of the ancestor, it is at least questionable, whether the same person, who might undoubtedly claim under a gift to his father, or through him as heir of his body, can take when the gift is to the heirs of the body, as the persons to whom the gift is made in the first instance! I could mention twenty other instances of the greatest inconvenience, absurdity and contradiction, arising out of this law of corruption of blood. Indeed, instances of this inconvenience and absurdity occur every year; though these instances do not meet the public eye, because it is not fit to promulgate the defects of titles. Such being the principles, such the consequences of the corruption of blood, the business of the legislature seems to me to be, rather to meet the evil before the case of particular hardship calls for its interposition, than provide for the case when it shall have actually occurred and taken effect, and then by an *ex post facto* law, to alter rights, which already exist; and divest interests which are already vested. For one, I disapprove of these *ex post facto* laws; and I never remember the case in Wilson without regret, or without considering it a violation of the principles of legislation. It was formerly the law, that no person should make title, as heir, through an alien; exactly as the law now is, that no one shall derive a title by heirship through a person who is attainted; and yet, feeling the hardship of the case of Mr. Strachan, a natural born subject, deriving his descent, through Swedish, and consequently through alien parents, a law was passed, giving to all natural born subjects, though descended from aliens, the privilege of being heirs to their ancestors: and the effect of this law, was in the particular case, to take a very large property from the person who had acquired a vested right as heir, under the law as it stood when the descent took place; and the like would probably be done, at a future period, in the case of a person impeded in his title to be heir by the attainder of some very remote ancestor: and rather than allow the law to be thus harsh, against the descendants of attainted persons, and altered when hard circumstances should require it; is it not much more fit, that parliament should pass one general bill, for restoring all such rights, rather than provide for particular cases after they have taken place? Homage and fealty are now generally exploded if not entirely done away in practice: and to them rather than forfeiture, is corruption of blood ascribable in principle. It would not, indeed, be so much an object deserving of interference of the legislature, if the property went on every escheat to the crown, since the crown might make restitution to deserving objects. But as the escheat is often to the mesne lord; and the crown or any person or power, except the legislature, cannot under any circumstances, and though satisfied of the innocence of the person who has been attainted, or the hardship to the person whose descent is impeded by the corruption of his blood, relieve the heir, by removing the disability or restoring to him the estate; and mesne lords are often disqualified by lunacy or infancy, or from their limited interest, to waive this fruit of tenure, it is expedient that the law should be altered. Upon the whole, considering the hardships brought by this law, on innocent persons; considering also the difficulties in which it may involve purchasers deriving their titles through persons whose blood may be corrupted by the attainder of some remote ancestor; a fact which purchasers have seldom any means of ascertaining; I am clearly of opinion, it would be better to pass the present Bill, without any qualification.

Mr. *Lockhart.*—To one of the objections made by the right hon. gentleman by whom the amendment has been proposed, the objection arising from the caution with which we should innovate when we consider the antiquity of a law, admitted by the hon. and learned gentleman who has just sat down, to be as old as the Norman Conquest, I have not heard any satisfactory answer. We have, indeed, been reminded of the alteration of the law *de hæretico comburendo*, of the *peine forte et dure*, and the punishment of women in cases of petit treason. It is true that these laws have, on account of their barbarity and injustice, been repealed; but I cannot discover that their repeal affords any analogy for the repeal of the law intended to be altered by the Bill now before parliament. Nor has any case been made out, except indeed the case at Oxford, to demand our interference. A woman tried and convicted of murder in 1747, pardoned and never heard of for between forty and fifty years, suddenly starts up, and by the prerogative of the crown claims the property to which at the time of her conviction, fifty-three years ago, she was possessed. I think we need not be much alarmed at the probability of the recurrence of a similar case, or that such an insulated instance calls for the interruption of the regular course of law.

The hon. and learned gentleman who has brought this Bill into parliament, has said that the law of corruption of blood does not partake of the nature of punishment, and therefore it ought not to exist. To a certain extent I am disposed to admit the correctness of this position. I certainly am ready to allow that the murderer, the midnight assassin, will not have more care for the fortunes of his posterity than for the life which he rises to sacrifice:—but the case of high treason appears to me to be very different. The traitor, the man disposed to commit high treason, is often lofty and high-minded, actuated by inordinate ambition, and ready, at the risk of his own life, to secure distinction and attain power:—upon such men disgrace has its most powerful operation. When such men reflect upon the ignominy with which they will brand their families; when they consider how they will, as the French term it, "*flâtrer*," brand their descendants, it appears to me that the consciousness of this opprobrium may repel them from the commission of the crime which they meditate.—Upon this distinction I think that, although an alteration of the law as it relates to the crime of murder ought to be sanctioned by parliament, I cannot approve of this alteration in the case of high treason: and it is some satisfaction to me to reflect that the same sentiments seems to have been entertained by Mr. Justice Blackstone, who, in speaking of the propriety of extending the penalties of high treason to the crime of coining, says, "This confounds the distinction and proportion of offences; and, by affixing the same ideas of guilt upon the man who coins a leaden groat and him who assassinates his sovereign, takes off that horror which ought to attend the very mention of high treason, and makes it more familiar to the subject."

The question being called, there appeared,

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| For the Clause as it originally stood | 47 |
| For the Amendment.................. | 32 |
| Majority for the Amendment........ | —15 |

Mr. Yorke then proposed that the alteration of the law should not extend to murder or petit treason.

Mr. *C. W. Wynn.*—I must object to this further amendment proposed by the right hon. gentleman. I cannot think that, be the effect of corruption of blood in the case of high treason what it may, any possible good can result from continuing corruption of blood, either in the case of murder, which is generally committed by lawless depravity, or in the case of petit treason, which is confined to murder committed by a wife or a servant. It cannot be supposed that such offenders will be deterred by the dread of a loss which may be sustained by some of their unborn descendants. Why then continue a law which can punish only the innocent for the crimes of guilt? which, although remembered indeed for centuries as a species of conveyance, can operate only when the crime and criminal have long been forgotten?—What property are the heirs of a servant likely to inherit, by the loss of which he can be deterred from the commission of murder? Why, from such speculations, are we to add to the wretchedness of the innocent? Surely his case needs no aggravation, to whom the crime and its penalty are alike afflicting. He has lost one parent by the worst of crimes, he is to lose another parent by the most ignominious of punishments, and the law, which redresses all other grievances, makes him an orphan.

Mr. *Bathurst.*—It appears to me to be advisable that murder should be exempt from the operation of the Bill: for, although it may be true that, in general, this crime is committed by offenders not likely to be deterred by any disgraceful loss of property, yet it must be remembered that, in such cases, the law could scarcely be supposed to be attended with evil: whilst in cases where the culprit possessed property, the effects of the Bill might be most beneficial. The instance of lord Ferrers and various other instances might be stated to prove, what is indeed indisputable, that this crime is not confined to poverty, but extends to persons who, from their education and rank, may be influenced not only by a regard for the inheritance of their property by their descendants, but by a feeling for the character of their families, which must be stigmatized for ever by their crime. I am ready to admit, that cases of individual hardship may exist; but this is the inevitable consequence of all human laws; and, although a very proper reason for vesting the prerogative of pardon, cannot be a reason why a law which has existed from the most remote ages, should be broken in upon and abolished. I therefore, from its lamentable frequency, think that the law ought not to be altered with respect to murder; and of course, that it ought not to be changed for the more aggravated offence of petit treason.

Mr. *Preston.*—If the frequency of the crime is a reason for not altering the punishment, it ought then, for the same reason, to exist in those felonies which are far more frequent.

Mr. *Yorke.*—I am well aware, that some persons have treated with contempt the doctrine, that property is the creature of the state: it is not, however, by any contempt, but by argument alone that I can be convinced, that society has not a right to regulate the laws of descent. Society has this right, and has determined, properly I think, that no subject shall be enriched from a corrupted or tainted source. How can the gentlemen, who have argued for the repeal of the law of corruption of blood, justify the law of forfeiture? which operates with greater hardship as forfeiture falls upon his children, but corruption of blood generally falls upon more remote descendants. As the committee has decided that the repeal ought not to extend to high treason, we shall I hope, be of opinion, that it ought not to extend to petit treason or to murder.

Mr. *W. Smith.*—The principle, for which the right hon. gentleman has contended, is capable of being extended to every crime.

The gallery was again cleared.

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| For the Amendment | 41 |
| Against it | 39 |
| Majority for the Amendment | — 2 |

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Debate on the Bill to alter the Punishment of High Treason.—*April* 25, 1814.

The Bill as it was proposed by sir Samuel Romilly, was as follows:—

"Whereas it was expedient that the judgment required by law to be awarded against persons convicted of High Treason, should be altered:

"Be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the Lords spiritual and temporal, and Commons, in this present parliament assembled, and by the the authority of the same, that the judgment now by law given against persons convicted or attainted of High Treason, shall be no longer awarded; but that, in lieu thereof, from and after the                the judgment to be awarded against any person or persons convicted or attainted of the crime of High Treason, shall be, that such person or persons being so convicted or attainted as aforesaid shall be severally drawn to the place of execution, and be there hanged by the neck until he, she, or they be severally dead; and that the body or bodies of such person or persons shall be at the disposal of his Majesty and his successors.

"And be it further enacted, that from and after the                it shall be lawful for his Majesty and his successors, if he or they shall think proper after judgment upon any conviction or attainder of High Treason, by warrant under the hand of one of his Majesty's principal secretaries of state, to direct, that the person against whom such judgment shall have been awarded, instead of being hanged, shall be beheaded; and it shall be lawful for the sheriff or other person having the charge of executing the said judgment, to observe the directions contained in such warrant."

Sir Samuel Romilly, having moved the order of the day for the House going into a committee on the Bill to alter the punishment of high treason, and the House having accordingly resolved itself into such committee, Mr. Gordon in the chair:

Sir *Samuel Romilly.*—I rise, Sir, to move that after the words in the first clause, "drawn to the place of execution," there be added the words "on a hurdle." These words make part of the present sentence in cases of treason, and have been omitted in the Bill merely by mistake: it does not seem necessary that there should be any alteration in the law in this respect.

This amendment was accordingly agreed too.

The first clause, by which it is enacted that the convicted or attainted person or persons "shall severally be drawn to the place of execution on a hurdle, and be there hanged by the neck until he, she, or they be severally dead; and that the body or bodies of such person or persons shall be at the disposal of his Majesty and his successors," having been read,

Mr. *Yorke.*—It is well known, Sir, that the sentence of the law, as it now stands, against persons convicted of high treason has not for many years been fully executed. But if the punishment for this offence is to be left in the state in which it is proposed by the present Bill to leave it, the punishment annexed to high treason will, in that event, be less than the punishment annexed to murder and other offences of a similar class. I shall therefore propose, in addition to hanging, the separation of the head from the body, after the person is dead, as a fit punishment and appropriate stigma in cases of high treason. The amendment, which it is my intention to move, will be to the following effect: that after the words "hanged by the neck until he, she, or they be severally dead," there be added these words, "and be then beheaded;" and that "the head or heads and body or bodies of such person or persons shall be at the disposal of his Majesty and his successors." The law as it now stands directs the separation of the head from the body while the party is still alive. I propose to alter the sentence by directing that he shall be hanged till he is dead, and then that the head shall be separated from the body. I do not propose to strike out the clause which gives the King power by warrant to alter the punishment to that of beheading, although if the beheading is restored, this is perhaps hardly necessary, as it is by remitting every part of the sentence but beheading that the punishment is now mitigated by the crown.

Sir *Samuel Romilly.*—Though I cannot approve of the amendment of the right hon. gentleman, yet it is not my intention to oppose it. I cannot think that any good effects are produced by the disgusting spectacle which is now exhibited, and which the right hon. gentleman desires to preserve, of holding up the bleeding head of the criminal to the view of the spectators. On the contrary, I believe that the worst effects are produced by it. We are so constituted by nature, that such spectacles of horror are seldom beheld by any persons with impunity. I shall not, however divide the committee, as I have little prospect of its being of any avail. The right hon. gentleman is, as I conceive, much mistaken in supposing that the beheading of traitors at present takes place under the king's power to remit part of the sentence, although that notion is certainly countenanced by lord Coke, and indeed by lord Hale too. There are several instances of the crown ordering women convicted of treason to be beheaded, although the sentence pronounced on them was that of being burned alive; and beheading formed no part of it. In the case of Mrs. Lisle, who petitioned king James the second, that she might be beheaded, the only mercy for which she presumed to hope, was, that she might be spared the torture of being burned alive. The king professed to doubt whether he had any power so to alter the sentence; and he did not grant the prayer of the petition till he had consulted the judges, and they had removed his scruples. This notion, indeed, of remitting a part of the sentence, might be so used as to aggravate instead of mitigating the sentence. As the law now stands, the traitor is not to be beheaded till after he is embowelled; and consequently till after he is dead. To declare that he shall be beheaded while he is alive, is in truth to alter the sentence, not to remit part of it. If the crown were to remit every thing but the embowelling, by which the criminal would have to suffer that punishment while he was in full life, and before his sensibility was at all deadened by strangulation, could that be called a mitigation of the sentence? The truth is, as Mr. J. Foster has stated, that this prerogative consists in substituting, with the consent of the convict, a milder in the place of a more severe punishment.

Mr. *Whitbread.*—I can easily conceive why my hon. and learned friend does not choose to divide the committee on the amendment proposed by the right hon. gentleman opposite. For myself, however, I must protest against the very wording of the clause; and I am convinced there is not a gentleman in the committee who does not feel disgusted at it.

Mr. *Yorke.*—I can only observe, in answer to what has fallen from the last speaker, that when we are making laws for the infliction of punishment on offenders of the very worst description, we must necessarily use those words (or others like them) at which the hon. gentleman is so much shocked. It seems, however, a little extraordinary, when measures of this kind are under discussion, that gentlemen should feel their tenderness and consideration so strongly excited for the criminals whom the laws were meant to curb and control, and that they should have no regard at all for the evils to which the public might be exposed, were it not for these very enactments. [Hear, hear, hear! from the treasury benches.] In the case, for instance, of a successful rebellion, where war was levied within the realm, what evils would not the country be subjected to?—how many houses might not be burned?—how many murders might not be perpetrated?—how many rapes might not be committed? These dreadful and alarming considerations are, it appears, all forgotton in commisseration of the traitor. The criminal is the only person for whom gentlemen seem to feel. [Hear, hear!]

Sir *S. Romilly.*—Surely if there be any justice in the right hon. gentleman's observations, it applies to himself as well as to us, since he consents to abolish the most cruel part of the punishment, and is thus guilty of what he so loudly condemns—commisseration for the traitor. Never indeed was a more unjust imputation thrown on any one; for though I should not be ashamed to feel compassion even for a traitor who was about to suffer the sentence of the law, yet the truth is, that I have spoken only of the effect produced upon the spectators, and not of the sufferings of the criminal. Whatever alterations I have proposed in the criminal law, whether judicious or not, have had for their object to prevent the commission of crimes, and not, as the right hon. gentleman would insinuate, to give indulgence to those who commit them. In condemning us, the right hon. gentleman condemns himself; and to be consistent, he should struggle to preserve all the horrible cruelties which now form part of the appointed punishment of traitors.

Mr. *Yorke.*—I do not think that the observations which fell from me deserved such strong animadversion as they have met with from the hon. and learned gentleman. What I said was called for, as I conceived, by the statement of the hon. member (Mr. Whitbread); and I certainly never meant to insinuate that the hon. and learned gentleman, or any other individual, harbours a wish to protect the guilty at the expense of justice or of the public good. I am sure I give the hon. and learned mover credit for the purity of his motives. I am satisfied that he wishes well to the public, and trust he will do me the justice to believe that I wish so too. I am sorry that on this subject I have the misfortune to differ from the hon. and learned gentleman, whose extensive knowledge of the law, and whose great experience and ability, are entitled to the highest respect. I repeat that I never meant to attribute any thing, in the most distant manner, improper to him personally; and I conceive that he has been led into a greater degree of warmth and severity in his reply than the occasion called for.

Mr. *Whitbread.*—I must protest against the insinuation that it has ever been any part of my principle, either of feeling or of action, to protect traitors or treason; but yet I must repeat, that I cannot hear without horror and disgust the wording of the clause which has just been read. The right hon. gentleman who has last spoken (Mr. Yorke) has often expressed his readiness to assist in the revision of the laws; but when he comes to contribute to the much desired work, so limited is his assistance that we may see how little he practically regards the general assurances of which he is so liberal. (Hear, hear!) It is a most extraordinary circumstance in the present day, that though there is not a man in the kingdom who wishes to obtain a correct opinion on a point of law, however complicated, however dear the interests it may involve, who will not cheerfully appeal to my hon. and learned friend (sir S. Romilly), whose theoretical knowledge has been fortified and confirmed by the most extensive experience; though there is not a man in the country who would hesitate to trust in the hands of my learned friend, his estate, his reputation, or his life; regarded as he is in those courts where he practises, in those places where he is best known, as most eminent in legal knowledge and personal integrity; yet, when he comes into this House to propose any improvement upon that law of which he is acknowledged to be so competent a judge, he from that moment is the object of jealousy and suspicion; from that moment is he opposed and pointed at as a most weak or dangerous innovator, as one indeed whose ignorance or malice would do mischief to the country. The labours of my hon. friend, however, have not been without effect, though the benefit to the public has not kept pace with his exertions. The speeches which he has delivered, when he has introduced his different propositions, have not been thrown away. Some of the alterations which he has proposed he has effected; and if his life be spared, I have little doubt that he will persevere till he has acomplished the whole object of his praiseworty exertions. But still hitherto he has laboured (comparatively speaking) in vain—resisted as he has been even by those who best know his merits, and are compelled to acknowledge them. The right hon. gentleman (Mr. Yorke) has said, that those who support the Bill wish to lessen the punishment of high treason to such a degree that the public interests will be endangered. And what does the right hon. gentleman himself propose, to avert this impending danger? Why, to leave the dead body at the disposal of the King! to have the head cut off after the criminal has been hanged! and that the head also should be at the disposal of his majesty! Scenes such as the proposed enactment must give rise to, are not fit to be beheld by reasonable beings. Well did my hon. and learned friend say, that men could not gaze on such spectacles with impunity. The principle is exactly the same as that which led to the disgusting spectacle which about two years ago, after the dreadful murders at Shadwell had been committed, disgraced the streets of the metropolis. At that time the police were taught to carry through this city, in triumph, the dead body of the suicide, surrounded by the instruments with which he was supposed to have committed his bloody deeds, arrayed in all the circumstances which can inspire horror and excite disgust; a spectacle as useless to the public as it was offensive to its feeling.* The enactment in question is of a piece with this exhibition, and both are as injudicious as the spectacles themselves must be disgusting.

Mr. *Yorke.*—The hon. gentleman who has just sat down is utterly wrong in attributing to me any new enactment. Of a part of the old law I disapproved, and therefore I acquiesce in its repeal. I do not propose any new enactment in its stead, but to retain a part of that same law, as it has been softened down and adapted to the practice of modern times.

Mr. *Bathurst.*—It is well known to the House, that a part of the punishment annexed to the crime of murder, and a part too which is never dispensed with, is, that the bodies of the criminals shall be delivered over to the surgeons for dissection. There cannot be a doubt but that this enactment has been productive of good effects, as it is a well known fact, that nothing contributes in a greater degree to deter the lower classes from the commission of the crimes of murder, than the feeling of abhorrence arising from the idea of being dissected. The question here is, if the repeal of the punishment of decollation will not tend to diminish, in the minds at least of the lower classes, that abhorrence generally felt at the punishment of treason. Or will it be said that there is any thing in the nature of the crime of treason, which should exempt it from a punishment less severe than that which is now attached to the crime of murder?—In cases not very remote, namely, those which occurred during the late rebellion, the punishment now by law attaching to the crime of treason was actually enforced. The hon. and learned gentleman (sir S. Romilly) himself has by the present Bill left the body at the disposal of the crown; and all that has been

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* The following account of this spectacle is extracted from one of the newspapers; from which it appears that this insult to public feeling did not originate in the indiscriminate indignation of an infuriated populace recoiling from crime: but it was a deliberate act sanctioned by certain officers of justice before any trial of the guilt of the accused suicide.

INTERMENT OF WILLIAMS.

The premature death of Williams having defeated the ends of that justice, with which it is probable from the very suspicious circumstances that have transpired, this wretched man would have been overtaken, the magistrates came to a resolution of giving the greatest possible solemnity, and publicity, to the ceremony of interring this suicide.

About ten o'clock on Monday night, Mr. Robinson, the high constable of the parish of St. George, accompanied by Mr. Machin, one of the constables—Mr. Harrison, the collector—and Mr. Robinson's deputy, went to the prison at Cold Bath Fields, where the body of Williams, being delivered to them, was put into a hackney coach, in which the deputy-constable proceeded to the watch-house of St. George, known by the name of the Round-about, at the bottom of Ship-alley. The other proposed by my right hon. friend (Mr. Yorke) is decollation after the criminal shall have hung by the neck till he is dead.

Mr. *W. Smith.*—I submit to the judgment of the House, that the right hon. gentleman (Mr. Yorke) is clearly in the wrong, when he attributes to any of my hon. friends on this side of the House, any motive so pernicious as a consideration for the criminal without any regard for the public. So far is this from being the case, that in reality the objection of my hon. friend (Mr. Whitbread) is wholly on the part of the public, his whole anxiety and consideration being that the feelings of the public shall not be in the first place shocked, and then deteriorated. This is the whole object which my hon. friend had in view by the objection which he made to the disgusting spectacle of decollation. It appears to me that there is a very obvious way of usefully altering this part of the punishment. The right hon. gentleman who has spoken last alluded to the prac-

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three gentlemen followed in another coach, and about 12 o'clock the body was deposited in the black hole, where it remained all night. Yesterday morning, about 9 o'clock, the high constable with his attendants, arrived at the watch-house with a cart, that had been fitted up for the purpose of giving the greatest possible degree of exposure to the face and body of Williams. A stage, or platform, was formed upon the cart by boards, which extended from one side to the other. They were fastened to the top; and lapping over each other from the hinder part to the front of the cart, in regular gradation, they formed an inclined plane, on which the body rested, with the head towards the horse—and so much elevated as to be completely exposed to public view. The body was retained in an extended position, by a cord, which passing beneath the arms was fastened underneath the boards. On the body was a pair of blue cloth pantaloons, and a white shirt, with the sleeves tucked up to the elbows, but neither coat nor waistcoat. About the neck was the white handkerchief with which Williams put an end to his existence. There were stockings, but no shoes upon his feet. The countenance was fresh, and perfectly free from discoloration, or livid spots. The hair was rather of a sandy cast, and the whiskers appeared to have been remarkably close shaven. On both the hands were some livid spots. On the right hand side of the head was fixed, perpendicularly, the maul with which the murder of the Marrs was committed. On the left, also in a perpendicular position was fixed the ripping chisel. Above his head was laid, in a transverse direction, upon the boards, the iron crow; and parallel with it, the stake destined to be driven through the body. About half past ten the procession moved from the watch-house in the following order:—

Mr. Machin, constable of Shadwell;
Mr. Harrison, collector of king's taxes;
Mr. Lloyd, baker;
Mr. Strickland, coal-merchant;
Mr. Burford, stationer; and
Mr. Gale, superintendant of Lascars in the East India Company's service—all mounted on grey horses.

Next came

The constables, headboroughs, and patroles of the parish, with cutlasses;
The beadle of St. George's in his official dress;
Mr. Robinson, the high constable of St. George's;
The Cart with the Body;
A large body of constables.

An immense cavalcade of the inhabitants of the two parishes closed the procession.

On arriving opposite to the house of Mr. Marr, the procession halted for about ten minutes, and then proceeded down Old Gravel-lane, New Market-street, Wapping High-street, and up New Gravel-lane; when the procession again stopped opposite to the King's Arms, the house of the late Mr. Williamson. From thence it proceeded along Ratcliff Highway, and up Cannon-street, to the Turnpike-gate, at which the four roads meet, viz. the New Road into White-chapel—that into Sun Tavern-fields—the back lane to Well-close-square—and Ratcliff Highway. The hole, about four feet deep, three feet long, and two feet wide, was dug precisely at the crossing of the roads, four or five feet from the turnpike house. About half-past 12 o'clock the body was pushed out of the cart into the hole, which, as it will have been seen from the dimensions, was purposely so formed as not to admit of being laid at length. The stake was immediately driven through the body amidst the shouts and vociferous execrations of the multitude, and the hole filled up and well rammed down. The parties forming the procession then dispersed.—*Morn. Chron.* 1*st Jan.* 1812.

tice, in cases of murder, of ordering the body of the criminal to be delivered over to the surgeons to be dissected. In this there is nothing disgusting—in this there is nothing which partakes of the nature of a spectacle or exhibition, to shock public feeling, or to render it depraved. Besides, as bodies cannot always be procured for dissection, murderers, in being destined to such a purpose, are made useful instead of being hurtful to the public; and the criminal is obliged, by the use to which he is applied after death, to make some atonement for the evil he has done in his life. I agree that all the horror possible against the offence he has committed should be infused into the mind of the criminal who is to suffer. No one can have an objection to it, if it is only meant that this should extend to prevent persons who are disposed to the crime from its actual perpetration, or to make offenders sensible of the enormity of their guilt after the crime has been committed. I therefore have no objection to all this, so it does not lead to horror or depravity on the part of the public. My principal reason for rising, however, is to set right the right hon. gentleman (Mr. Yorke), and to convince him, as I trust I have succeeded in doing, that the objection of my hon. friend (Mr. Whitbread), and the observations which have fallen from him in consequence, proceeded not from compassion to the criminals, but to the public.

Mr. *Whitbread.*—In support of the proposition of my hon. friend (Mr. W. Smith), and of the objections which I have made to the amendment, I shall merely draw the attention of the House to the circumstance, that in the same act which authorizes the dissection of the bodies of murderers, there is also a discretionary power given to the judge to order them to be hung in chains. The latter custom has now been for years abandoned;—it was not found to operate in the slightest degree to the prevention of crimes, while it placed before the public eye the most disgusting spectacle. The dissection of bodies has not this effect; for the public are not then shocked by any exhibition beyond the death of the criminal, and this has been found to be as useful as the former spectacle was disgusting. It has therefore continued to be acted on to the present day, while the judges never avail themselves of a discretionary power by which they might direct a disgusting exhibition, which experience has proved not to be beneficial. Such I am convinced will be the case with the amendment now proposed.

The Amendment was then put and agreed to. The other clause in the Bill was gone through, the House resumed, and the report was ordered to be received on Friday.

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## SIR EGERTON BRYDGES' SPEECH ON PROPOSING HIS BILL FOR THE AMENDMENT OF THE POOR LAWS.

*The Reader will please to substitute the following correct Report of the Speech of Sir Egerton Brydges, in the House of Commons, on the 27th of April* 1814, *in the place of the one given in Vol. XXVII. p.* 562.

In rising, Sir, to introduce the motion which I am about to make for leave to bring in a Bill to amend some of the provisions of the laws now in being, for the settlement and better relief of the poor, it will become me at the very outset to say a few words on the nature of my plan, which may, I hope, soften that appearance of presumption to which I may otherwise be liable. If any hon. member supposes I am about to attempt any violent change, either in the principles or in the practical details and machinery of the poor laws, I beg to assure that hon. member that nothing is farther from my intention. My scheme is to propose a few very simple amendments (simple in their principle and provisions, but great, I trust, and most beneficial in their effects). Sir, in what I am about to lay before this House, I beg thus early to declare that I will not trifle with them, nor bewilder myself with any light and visionary theories. I mean in every step to keep within the tracks of experience, and only to move forward in that path and that spirit of amendment by which the legislature has within the last 20 years improved this branch of the statute-law, so greatly to the comfort and happiness of the poor (I mean this improvement with reference to the acts of Charles 2, and those which were soon after grafted on it).

Sir, of the improvements to which I have alluded, there is one more conspicuous, more founded in wisdom, and more humane and salutary in its consequences, than the 35 Geo. 3, c. 101, intituled "An Act to prevent the removal of Poor Persons till they shall become actually chargeable." This Act, Sir, has much softened an evil arising out of the 12, and 13 Charles 2, c. 12, which all great legislators and enlightened politicians have in their speeches and writings deplored and condemned. I mean the restriction of the poor from living where they chose, or can best support themselves.

Sir, by this just act, they may reside where they please, and seek work where they will, so long as they impose no burden on the place of their abode. But, Sir, in the general price of labour and corn, that time in most cases too soon arrives; and can too seldom, through a whole life, be kept off by any industry.

A removal is a grievous evil; grievous, as I shall presently endeavour to shew, in so many ways, that nothing but some other paramount injustice can authorize it.

But it is apparent that in these cases removal follows settlement. The grievance then arises out of the law of settlement as it now stands.

It is then to certain provisions of this law, where they bear hardest upon this point, that my attention, and my suggestions of amendment are turned.

The legislature must have had in view to fix the burden of a pauper on that parish which ought in justice to bear it. It was unreasonable that where paupers had lately wandered into a parish they should be able to impose this burden. Nor where they have so lately wandered, is the cruelty of a removal great. As far as the statute of Ch. 2, pursues this object, which it professes, it is not objectionable.

But all the most cruel and aggravated grievances of removal attach in cases of long residence: and in these very cases in which the grievance is greatest, is the reason for them totally inapplicable. Why is a parish to be burdened with the support of a pauper? Because it has had the benefit of his labour! And so, an old man is to be sent from the parish where, perhaps, he has passed half his life, to a distant spot, in which he was born, but which he has never seen since he was a boy, or where he served his apprenticeship, or a single year as a servant.

Now what is the superior title to exemption from this burden in the parish from which the pauper was removed, over the parish to which he is removed? The reverse is the case. But even if it were not so, at what a price to others is this exemption purchased?

Here is the unhappy pauper, removed perhaps from the eastern point of Kent to the Land's End, at what an enormous expense—at what a chance of litigation! removed too from his cottage, from the spot where he had formed all his connections, where he had worked out for himself hitherto the means of an industrious livelihood, and where, except during some temporary pressure, he might work it out again—to a parish, where he has no friends, no house but a workhouse to receive him, no means of employment, but must remain an helpless and an hopeless pauper, and an unmitigated onus upon this place of his settlement, during the remainder of his life!

Sir, the remedy of this indescribable hardship to the poor, of this impolitic waste of money in removals and litigations, is simple and easy. Give a settlement by a certain number of years residence as an housekeeper without having received parochial relief. This is the grand feature of my Bill: this is the greatest of the amendments I would propose. Sir, I boast no novelty in this proposition. I rather boast that it is not new: I place my greatest reliance on its want of novelty, because it has the sanction of so many wise authorities. It formed one of the clauses of that extensive and able plan introduced into this House in 1807, by an hon. member (Mr. Whitbread), with whose powerful abilities and eloquence, and great political knowledge, this House is so familiar—I mean the member for Bedford. Nay, Sir, this clause, if I am not misinformed, then received the sanction of the House, though the hon. member afterwards abandoned the Bill in consequence of the non-adoption of other parts of his extensive plan. A similar clause was introduced by sir W. Young in his Bill for amending the Poor Laws. And it is fortified by the opinion of sir Frederic Eden, and other writers on this subject.

Sir, I am at a loss to guess what plausible objection can be started to this proposal. Will it be urged, that it is dangerous to shift the burdens which long established laws have thrown upon parishes? Sir, if this were an evil, shall we, for the sake of avoiding it, continue to endure evils so much greater? But, Sir, it is really no evil at all! It is a "give and take" business. If parishes thus become loaded with some poor, whom they could otherwise throw off, they, in return, throw off others whom they must otherwise support.

Sir, if, in the contest between parishes for comparative advantage, which the poor laws have generated that acute jealousy which self-interest is sure to create, shall suggest a fear that this amendment may have a tendency to benefit the country places, at the expense of towns, by adding another facility to the suppression of settlement by birth, it being admitted, that the former supply more of the population to the latter than they take from them, I feel confident, that so far fetched and unfair a motive of objection will have no weight in this House. But, Sir, if there were any weight in this objection, one of the latter clauses of the Bill I propose to move, will far more than counterbalance it.

Sir, the simplicity and obvious justice of this clause does, I hope, speak for itself. The mode of proof will be so easy, the parish, from which the burden is taken, will be relieved in so much greater a proportion than that on which it is placed is loaded; and the hardships and violence to the moral habits and feelings of the pauper will be so incalculably softened, that a greater good, gained, too, by one of the slightest of alterations, cannot, in my mind, be well conceived!

2. As to the 2d clause, Sir, of the Bill which I propose to move for leave to bring in, it is founded on the same principle, as far as is consistent with those main provisions of the settlement laws, which I do not think myself justified in attempting to disturb. I mean, Sir, the principle of softening the evils of removal, where they cannot be entirely extinguished.

Experience has shewn that temporary relief is often wanted by paupers, while resident in places where their powers and opportunities to support themselves may soon revive; but from whence, if they are removed, they become paupers for life. The principle of suspension of removal, during sickness, has been already adopted. I am anxious to carry this one step further: and to allow a pauper, for a given time, and case to a given sum, to receive relief where resident, to be repaid by the parish to which he belongs. Thus he is saved from an immediate forfeiture of his old means of self-support; and here is a stimulus to recover himself. If the removal at last comes, it comes alleviated by preparation, and by having had the chance of averting it. Probably it will save a removal in more than half the cases which now occur; and, in addition to the dreadful miseries from which paupers will be thus protected, the saving to the rates and trouble of both parishes, must be truly serious.

3d. Sir, it was objected to me by some magistrates, whom I consulted out of this House, that a difficulty might occur in the mode of enforcing re-payment by the parish to which the pauper shall be adjudged to belong. Luckily for me, Sir, there can be no such difficulty—the mode is already provided for in the Act of 35 Geo. 3, which provides for such re-payment in cases of suspension of removal during sickness; and I have nothing to do but to adopt the same provision. I have also provided for the adjudication of the pauper's settlement.

4th. Sir, the next point to which my attention has been called, may seem a matter of mere minor regulation; but it seems to me a point of such obvious justice to others, as well as of urgent necessity to the health of the poor, that often as the evil has been complained of, I am lost to account how it has been so long without a remedy. I mean, Sir, the provision to enable magistrates to order parishes to procure medical aid, and to be responsible for the payment of it to a limited amount. I need not repeat that this is as well a justice due to the medical man, as an act of humanity, which it is grevious to withhold from the poor.

I am sure, Sir, that in this enlightened age, reasons which have formerly been assigned for this defect, will no longer be admitted. It is ridiculously trifling to say that the medical man has already his remedy at law against the pauper! The remedy that at the expense of costs perhaps thrice the amount of the debt, will give the pauper's naked person to sport with in a gaol!

5th. Sir, it is among the greatest grievances of the poor laws, since they have grown into a system of so much intricacy and subtlety, that they have been the source of such constant and expensive litigation. The ill will and time, and trouble which they have thus caused, is, however, to be regretted, not yet so much the subject of lamentation, as the consumption of those funds which are wanted to relieve the poor themselves, instead of feeding the contending interests of the parishes which raise them.

One of the most fertile sources of this sort of litigation is that quorum in the settlement law, which, in the claim of a settlement as a yearly servant, requires proof, not only of a service for a year, but also of an hiring for a year. Sir, it is impossible to look into reports of settlement cases, without being struck with the vast proportion of them which turn upon the uncertainty and nicety of this kind of proof.

To cut up this subject of contention by the root, I have proposed a clause, to give a settlement by a year's service only, without any reference to the time of hiring.

6th. I am aware, Sir, that there is a duty to perform to parishes as well as to paupers. If paupers ought not to be wantonly and hardly removed, parishes ought not, without necessity, to be burdened. If, in some respects, the restraints upon giving a settlement are too great, there are others in which settlements may be too easily gained. When the Act of Charles 2 passed, the annual rent or value of a tenement when it amounted to 10*l.* was supposed to raise the presumption, that he who could get credit to hire it, was of sufficient substance to rebut the presumption of his becoming chargeable. The value of money has so fallen, that it has long ceased to operate in this way. A forty days residence, therefore, on a tenement of the annual value of 10*l.* does appear to me, to subject parishes to burdens, to which upon no principle, or adequate ground they ought to be exposed. I propose, therefore, to raise the rent (for value I would exclude from the uncertainty in its proof) to 20*l.* under which sum no tenement shall give a settlement, not unless it be hired by one and the same contract, for a term not less than a year. I have said, that in this proposal, I have in view the interests of parishes: but, at the same time, it will, in my opinion, combine with it the interests of the poor. At present, land has been separated from cottages by the influence of farmers, because it would raise the rent to the 10*l.* which burdens a parish with settlements. Make it 20*l.* and within that sum the land necessary to keep a cow, as well as the cottage, may be had. Now, Sir, we all know how much the keeping a cow contributes to the comfort and industry of the poor in the country. In case of lodgers, I would add one more condition to this settlement, by hiring a tenement; for, where the occupant is not an house-keeper, I would require a residence of six months, instead of 40 days. As the law now stands, workmen come from a distance to some town, where temporary works are going on, and obtain high wages, pay high rents for lodgings—stay perhaps scarcely more than the 40 days; and if any thing elsewhere occurs to make them chargeable, are brought back, perhaps with a large family, to be a grievous burden on the parish for the remainder of their lives. Is this reasonable? And would a removal, even after a much longer residence, from such a parish, have been cruel? It is most unfortunate that by the laws in being, removals are for the want of a settlement most allowed where they operate with the most hardship, and the most violence to the moral feelings and industrious habits of the poor.

7th. Of the principle and general provisions of the Act 22d Geo. 3, called Gilbert's Act, whereby parishes incorporating themselves under certain conditions, are empowered to erect a common poorhouse, I shall forbear to say any thing in this place. It has been put extensively into practice at a vast expense, and I have no intention by the present motion to disturb its main provisions. But there are at least three of its minor regulations, which imperiously call for amendment.

Sir, by that Bill, as it now stands, it is enacted, that any refusal of application for relief by the guardian of any parish to, or on behalf of any poor person, a farther application must be made to the visitor, before a magistrate can hear a complaint, and order redress.

Now, in cases where many parishes are incorporated, the visitor perhaps lives from 10 to 20 miles from the residence of the pauper, who, from poverty or feebleness, cannot travel so far to make the application. I propose to repeal the necessity of applying to the visitor as well as guardian.

8th. By the same act, the visitor is to be chosen by the magistrates out of three put in nomination by the guardians. I would give the magistrates a greater latitude of choice, and allow them to select a visitor out of the whole limits of those incorporated parishes.

9th. By the 30th of Geo. 3, the Act which gives power to magistrates to visit and report the conditions of poor houses, restricts them for this power in cases of poor houses of incorporated parishes. I would annul that restriction.

Thus, Sir, have I endeavoured, as shortly and simply as I am able, to explain the objects of my Bill. Sir, I beg to repeat what I most sincerely said in the opening of this motion: it is not without great exertion and violence to my feelings that I have exerted myself to make this attempt. I am aware, and I am too sensible of that charge of presumption, which one, obscure as I am, may expose himself to, by touching a subject so often agitated in this House, and which has employed the attention of so many great minds. But an imperious sense of duty has surmounted these feelings. It is not without much labour and thought—much anxiety, and consultation, that I have ventured these propositions. I only wish, Sir, they had had a better advocate. But to entreat that those honourable members who may doubt the expediency of what I now suggest, will have the goodness, if this House should so far honour me as to entertain the Bill at all, to wait till they can see and examine it as it is worded—when I trust they will be satisfied on many points, on which my imperfect exposition may have raised a doubt.

# LIST OF PUBLIC ACTS,

*Passed in the Second Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland.—54 GEO. III.—A. D.* 1813-14.

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1. An Act to enable his Majesty to accept the services of a proportion of the militia out of the United Kingdom, for the vigorous prosecution of the war.
2. For continuing to his Majesty certain duties on malt, sugar, tobacco, and snuff, in Great Britain; and on pensions, offices, and personal estates, in England; for the service of the year 1814.
3. For raising the sum of 22,000,000*l.* by way of annuities.
4. To continue, until six weeks after the commencement of the next session of parliament, an Act, passed in the last session of parliament, intituled An Act to continue and amend an Act of the present session, to prevent the issuing and circulating of pieces of gold and silver, or other metal, usually called tokens, except such as are issued by the banks of England and Ireland respectively.
5. To indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the times limited for those purposes respectively, until the 25th day of March, 1815; and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies and solicitors, to make and file the same, on or before the 1st day of Hilary term, 1815.
6. To stay, until the 20th day of April, 1814, proceedings in actions, under an Act, passed in the 43rd year of his present Majesty, to amend the laws relating to spiritual persons.
7. To continue, until the 25th day of March, 1815, and amend an Act for regulating the drawbacks and bounties on the exportation of sugar from Ireland.
8. To provide for the charge of the addition to the public funded debt of Great Britain, for the service of the year 1814.
9. For fixing the commencement and termination of licences, to be granted for the distillation of spirits from corn or grain in Scotland.
10. To amend an Act, passed in the 51st year of the reign of his present Majesty, intituled An Act to permit the interchange of the British and Irish militias respectively.
11. For extending the provisions of an Act, passed in the 46th year of his present Majesty (for making better provision for soldiers) to serjeants of the militia.
12. To enable his Majesty to augment the sixtieth regiment to ten battalions, by enlistment of foreigners.
13. For giving effect to certain engagements of his Majesty with the emperor of all the Russias and the king of Prussia, for furnishing a part of the pecuniary succours for assisting his Majesty's said allies, in supporting the expenses of the war with France.
14. To provide that property vested in the accountant general of the high court of Chancery as such, shall, upon his death, removal, or resignation, vest, from time to time, in those who shall succeed to the office.
15. For the more easy recovery of debts, in his Majesty's colony of New South Wales.
16. To explain an Act of the 41st year of his present Majesty, for declaring what persons shall be disabled from sitting and voting in the House of Commons of the United Kingdom of Great Britain and Ireland.
17. To enable his Majesty to accept the services of a proportion of the militia of the city of London, out of the United Kingdom, for the vigorous prosecution of the war.
18. For raising the sum of 10,500,000*l.* by exchequer bills, for the service of Great Britain, for the year 1814.
19. To enable his Majesty to accept the services of the local militia, out of their counties, under certain restrictions, and until the 25th day of March, 1815.
20. To explain and amend an Act, passed in the present session of parliament, for enabling his Majesty to accept the services of a proportion of the militia out of the United Kingdom, for the vigorous prosecution of the war; and to extend the provisions thereof to the regiment of miners of Cornwall and Devon.
21. For charging an equalizing duty on Scotch salt brought to England.
22. To continue, until the 25th day of March, 1815, an Act of the 52nd year of his present Majesty, for the more effectual preservation of the peace, by enforcing the duties of watching and warding.
23. To amend an Act of the 53rd year of his Majesty's reign, intituled An Act for the relief of insolvent debtors in England.
24. For further continuing, until the 25th day of March, 1815, certain bounties and drawbacks on the exportation of sugar from Great Britain; and for suspending the countervailing duties and bounties on sugar, when the duties imposed by an Act of the 49th year of his present Majesty shall be suspended.
25. For punishing mutiny and desertion; and for the better payment of the army and their quarters.
26. For repealing the duties of customs on madder imported into Great Britain, and for granting other duties in lieu thereof; to con-

tinue in force until the 5th day of January, 1817.

27. To rectify a mistake in an Act of the present session of parliament, for repealing the duties of customs on madder imported into Great Britain, and for granting other duties in lieu thereof.

28. For the relief of certain insolvent debtors in England.

29. To charge an additional duty of customs on brandy, imported into Great Britain for the purpose of exportation, and which shall be taken out of warehouse for home consumption, before the 31st day of March, 1814.

30. To continue until the 25th day of March, 1815, and from thence to the end of the then next session of parliament, several laws relating to the transportation of felons and other offenders, and to the authorizing the removal of offenders to temporary places of confinement in England and Scotland.

31. For the regulating of his Majesty's royal marine forces while on shore.

32. To amend the several Acts for preventing the illicit distillation of spirits in Ireland.

33. To continue, until the 25th day of March, 1815, an Act, made in the parliament of Ireland, in the 27th year of his present Majesty, for the better execution of the law and preservation of the peace within counties at large, as amended by an Act of the 36th of his Majesty.

34. For the further regulation of the trade to and from the places within the limits of the charter of the East India Company.

35. To extend the period for allowing importations from, and exportations to the places within the limits of the charter of the East India Company, in ships not of British-built, until the 1st day of January, 1815.

36. To repeal the duties of customs payable on goods, wares, and merchandize, imported into Great Britain from any port or place within the limits of the charter granted to the united company of merchants of England trading to the East Indies; and to grant other duties in lieu thereof; and to establish further regulations for the better security of the revenue on goods so imported; and to alter the periods of making up and presenting certain accounts of the said company to parliament; to continue in force until the 10th day of April, 1819.

37. For repealing an Act made in the 51st year of his present Majesty, for the more effectual administration of the office of a justice of the peace, in such parts of the counties of Middlesex and Surrey as lie in and near the metropolis; and for making other provisions in lieu thereof; to continue in force until the 1st day of June, 1820, and from thence until the expiration of six weeks from the commencement of the then next session of parliament.

38. For allowing a certain proportion of the London militia to enlist into the regular forces for the vigorous prosecution of the war; also, a certain proportion to enlist annually into the regular forces; and for completing the said militia.

39. For raising the sum of 5,000,000*l.* by exchequer bills, for the service of Great Britain, for the year 1814.

40. To remove doubts respecting the payment of drawback on the exportation of French wine in certain cases.

41. To continue, until the 1st day of July, 1814, an Act made in the 49th year of his present Majesty's reign, to suspend the importation of British or Irish-made spirits into Great Britain and Ireland respectively.

42. To repeal an Act of the 52nd year of his present Majesty, for the punishment of persons destroying stocking or lace frames, or any articles in such frames, and to make other provisions instead thereof.

43. To vest in trustees certain messuages, lands, tenements, and hereditaments, for extending the present lines and works, and for erecting other works and buildings at and near Portsmouth and Hilsea, in the county of Southampton.

44. To continue, until the 20th day of May, 1814, an Act passed in this session of parliament, intituled An Act to stay, until the 20th day of April, 1814, proceedings in actions, under an Act passed in the 43rd year of his present Majesty, to amend the laws relating to spiritual persons.

45. To continue the period for purchasing the legal quays in the port of London.

46. For altering the period during which writs of assistance shall remain in force.

47. To continue, until the 25th day of March, 1817, an Act of the 52nd year of his present Majesty, to regulate the separation of damaged from sound coffee, and to permit dealers to send out any quantity of coffee not exceeding eight pounds weight, without permit.

48. To revive and make perpetual certain Acts for consolidating and extending the several laws in force, for allowing the importation and exportation of certain articles into and from certain ports in the West Indies.

49. To revive and continue, until the expiration of nine months after the conclusion of the war with the United States of America, an Act made in the last session of parliament, to authorize the importation and exportation of certain articles into and from the West Indies, South America, and Newfoundland.

50. To amend so much of an Act of his present Majesty, for repealing the several duties of customs, and granting other duties in lieu thereof, as relates to the duties payable on salt exported.

51. To revive and further continue, until nine months after the conclusion of the present war, an Act of the 7th year of king George 2, for the free importation of cochineal and indigo.

52. To revive and continue, during the continuance of any Act imposing any restriction on the governor and company of the Bank of England, with respect to payments in cash, an Act of the 52nd year of his present Majesty, for making more effectual provision for preventing the current gold coin of the realm from being paid or accepted for a greater value than the current value of such coin; and for other purposes therein mentioned.

53. To enable the commissioners of his Majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of Great Britain for the year 1814.

54. To discontinue proceedings in certain actions already commenced, and to prevent vexatious suits against spiritual persons, under an Act passed in the 43rd year of his present Majesty; and further to continue, until the 20th day of July, 1814, an Act of the present session of parliament, for staying proceedings under the said Act.

55. For fixing the rates of subsistence to be paid to inn-keepers and others on quartering soldiers.

56. To amend and render more effectual an Act of his present Majesty, for encouraging the art of making new models and casts of busts, and other things therein mentioned; and for giving further encouragement to such arts.

57. To repeal the schedule annexed to an Act of the 45th year of his present Majesty, by which the drawbacks and bounties on sugar exported are to be ascertained, and substituting another in lieu thereof; and to permit the importation of sugar, coffee, and other articles, the produce of Martinique, Mariegalante, Saint Eustatia, Saint Martin, and Saba, under the same duties and regulations as similar articles of the British plantations, to continue until the 5th day of April, 1815.

58. To continue, during the present hostilities with the United States of America, an Act of the 43rd year of his present Majesty, for the better protection of the trade of the United Kingdom.

59. To allow ships taken and condemned for being used in carrying on the slave trade to be registered as British-built ships.

60. For the better preventing the embezzlement of his Majesty's cordage.

61. To amend an Act of the 22nd year of his present Majesty, intituled An Act to prevent the granting in future any patent office, to be exercised in any colony or plantation, now or at any time hereafter belonging to the crown of Great Britain, for any longer term than during such time as the grantee thereof, or person appointed thereto, shall discharge the duty thereof in person, and behave well therein

62. To amend several Acts for erecting or establishing public infirmaries or hospitals, in Ireland, so far as relates to the surgeons and apothecaries of such infirmaries or hospitals.

63. To amend several Acts for enabling his Majesty's postmaster general of Ireland to purchase premises for the enlargement of the general post office in the city of Dublin.

64. To continue, until the 5th day of July, 1815, certain temporary or war duties of customs on the importation of goods, wares, and merchandize into Great Britain.

65. To repeal certain duties on French goods imported into Great Britain, and on foreign hides exported to France, and to grant other duties on French goods so imported.

66. To repeal the duties on teak wood and other ship timber imported from the East Indies; and to repeal so much of an Act of the 19th year of his late majesty, as exempts captains of vessels coming from the East Indies, from penalties for having foreign-made sails.

67. To allow *viva voce* verdicts to be returned to the high court and circuit courts of justiciary of Scotland, in certain cases; and for allowing appeals to the circuit courts of justiciary, in civil cases, to a certain amount.

68. For the better regulation of ecclesiastical courts in Ireland; and for the more easy recovery of church rates and tithes.

69. To permit the exportation of corn, grain, meal, malt, and flour, from any part of the United Kingdom, without payment of duty, or receiving of bounty.

70. For the further improvement of the land revenue of the crown.

71. To revive and continue, until the 5th day of July, 1819, the manufacture of Maidstone geneva.

72. For permitting a trade between the United Provinces and certain colonies now in his Majesty's possession.

73. To continue, until the 5th day of July, 1815, certain additional duties of excise in Great Britain.

74. For granting to his Majesty a sum of money to be raised by lotteries.

75 For raising the sum of 1,716,666*l.* 13*s.* 4*d.* Irish currency, by treasury bills, for the service of Ireland, for the year 1814.

76. For raising the sum of 24,000,000*l.* by way of annuities.

77. To amend an Act of the 53rd year of his present Majesty, for repealing the duties payable on the importation of wine, the produce of the Cape of Good Hope, and its dependencies, and charging other duties in lieu thereof.

78. To repeal so much of an Act passed in the 9th and 10th year of the reign of king William the 3rd, and of another Act passed in the 28th year of his present Majesty, as respects the removal of wool, within a certain distance of the sea.

79. For raising the sum of 6,000,000*l.* by exchequer bills, for the service of Great Britain, for the year 1814.

80. For raising the sum of 1,500,000*l.* by

exchequer bills, for the service of Great Britain, for the year 1814.

81. To continue, until the 5th day of July, 1815, and to amend several Acts for granting certain rates and duties, and for allowing certain drawbacks and bounties on goods, wares, and merchandize, imported into, and exported from Ireland, and to grant until the said 5th day of July, 1815, certain new duties on the importation, and to allow drawbacks on the exportation of certain goods, wares, and merchandize, into and from Ireland, and to make further regulations for securing the collection of the said duties.

82. To grant to his Majesty duties upon auctions in Ireland, in lieu of former duties thereon, and to provide for the regulating and securing the collection of the said duties, and to prevent frauds therein.

83. For the more effectual regulation of the receipts and issues of his Majesty's treasury, and for securing the due application of money coming into the hands of the public accountants in Ireland.

84. For regulating the time of holding the Michaelmas quarter sessions in England.

85. For raising the sum of 3,000,000*l.* by way of annuities, for the service of Ireland.

86. For regulating the payment of army prize money, and to provide for the payment of unclaimed and forfeited shares to Chelsea hospital.

87. To grant duties of excise on certain sorts of glass made in Ireland, and to grant and allow certain countervailing duties and drawbacks in respect thereof.

88. To amend the several Acts for regulating and securing the collection of the duties on spirits distilled in Ireland.

89. For the charge of the further addition to the public funded debt of Great Britain, for the service of the year 1814.

90. To explain and extend an Act, passed in the 43rd year of his present Majesty, intituled An Act for remedying defects in the laws relative to the building and repairing of county bridges, and other works maintained at the expense of the inhabitants of counties in England, and for extending the said Act to bridges and other works maintained at the expense of hundreds.

91. To amend so much of an Act, passed in the 43rd year of her late majesty queen Elizabeth, as concerns the time of appointing overseers of the poor.

92. To secure the payment of stamp duties on probates and letters of administration, and on receipts for property obtained by legacy, or intestacy, in Ireland.

93. For regulating the payment of navy prize money, and the transmission of accounts and payment of balances to Greenwich hospital.

94. To grant additional annuities to judges of the courts of session, justiciary, and exchequer, in Scotland, who had resigned their offices before the last augmentation of salaries granted to the judges of those courts.

95. To enable his Majesty to grant additional annuities to the judges of the court of King's-bench, judges of the courts of Common Pleas and Exchequer, in Ireland, on the resignation of their offices.

96. To amend an Act, passed in the 5th year of queen Elizabeth, intituled An Act containing divers orders for artificers, labourers, servants of husbandry, and apprentices.

97. To continue until the 1st day of August, 1815, several laws relating to the duties on glass made in Great Britain; for granting an excise duty on common glass bottles imported; and for the further prevention of frauds in the exportation of glass.

98. To empower the auditor general of the accounts in Spain and Portugal to examine accounts of public expenditure in France.

99. To continue, until the 25th day of March, 1815, an Act of the 44th year of his present Majesty, to continue the restrictions contained in several Acts of his present Majesty on payments of cash by the Bank of England.

100. To repeal the schedule annexed to an Act of the 47th year of his present Majesty, by which the drawbacks and bounties on sugars exported from Ireland are to be ascertained, and to substitute another schedule in lieu thereof; and to permit the importation into Ireland of sugar, coffee, and other articles, the produce of Martinique, Marie-galante, Guadaloupe, Saint Eustatia, Saint Martin, and Saba, under the same duties and regulations, as similar articles of the British plantations; to continue until the 5th day of April, 1815.

101. For the more effectual prevention of child-stealing.

102. To continue, until the end of the next session of parliament, several Acts relating to the British white herring fishery.

103. To grant, until the 10th day of April, 1819, certain duties on goods, wares, and merchandize imported into Ireland, from any port or place within the limits of the charter granted to the united company of merchants of England trading to the East Indies; and to establish further regulations for the better security of the revenue on goods so imported.

104. For maintaining and keeping in repair certain roads and bridges made in Scotland, for the purpose of military communication; and for making more effectual provision for maintaining and repairing roads made, and bridges built, in Scotland, under the authority of the parliamentary commissioners for Highland roads and bridges.

105. To remove doubts as to the duties and taxes heretofore imposed and levied under the authority of the several governments in the East Indies.

106. To remove doubts, as to the allowance of drawbacks upon bibles and books of prayer to the king's printers, under an Act passed in the 34th year of his present Majesty.

107. To render valid certain indentures for

the binding of parish apprentices, and certificates of the settlement of poor persons.

108. To repeal two Acts of the thirtieth and 32nd years of king Charles the 2nd, for burying in woollen, and for indemnifying persons against penalties for offences committed against the said Acts.

109. To amend an Act of the 13th year of his present Majesty to explain, amend, and reduce into one Act, the statutes now in force for the amendment and preservation of the public highways within England, and for other purposes.

110. To prevent the embezzlement of certain property belonging to the hospital for seamen at Greenwich, and to amend so much of an Act of the parliament of Ireland of the 33rd year of his present Majesty as relates to payments to out-pensioners of the said hospital residing in Ireland.

111. To continue certain acts of the parliament of Ireland for preventing the importation of arms, gunpowder, and ammunition, and the making, removing, selling, and keeping of gunpowder, arms, and ammunition without licence.

112. For the further encouragement of fever hospitals in Ireland.

113. To vest in his Majesty, his heirs and successors, for ever, part of the ground and buildings now belonging to the society of King's Inns, Dublin, for the erecting thereon a repository for public records in Ireland.

114. To amend an Act, made in the last session of parliament, for the relief of insolvent debtors in Ireland.

115. To amend an Act of the parliament of Ireland, for preventing the pernicious practice of burning land, and for the more effectual destroying of vermin.

116. To repeal the several laws for recovery of small sums due for wages, in Ireland; and to make other provisions for recovery of such wages.

117. To extend, so far as relates to the building of new churches, an Act of the parliament of Ireland passed in the thirty-third year of the reign of his late majesty king George the 2nd, intituled an Act for reviving and amending an Act passed in the 23rd year of his present Majesty's reign, intituled 'An Act for amending, continuing, 'and making more effectual, the several 'acts now in force in this kingdom for the 'more easy recovery of tithes and other 'ecclesiastical dues of small value, and also 'for the more easy providing a main'tenance for parish clerks,' so far only as the same relates to the more easy providing a maintenance for parish clerks, and to encourage the building of new churches.

118. To grant to his Majesty certain stamp duties in Ireland, and to explain and amend an Act made in the fifty-second year of his Majesty's reign, for granting stamp duties in Ireland.

119. To repeal certain duties upon letters and packets, sent by the post within Ireland; and to grant other duties in lieu thereof.

120. To amend several Acts relating to the revenues, matters, and things under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes in Ireland.

121. To repeal the additional duties of excise on French wine imported, and on spirits exported from the warehouses; and authorizing the re-payment of the additional duty in respect of French wine found in dealers stocks; and authorizing the commissioners of excise duties to repay or remit duties paid on liquors lost by accidental staving before landing.

122. To alter the mode of declaring the value of goods imported into, or exported from Great Britain.

123. To amend an Act of the 39th and 40th year of his present Majesty, to prevent frauds and abuses in the trade of hops.

124. To permit the importation of tobacco and snuff into the port of Plymouth.

125. To continue, until the end of the next session of parliament, an Act made in the forty-sixth year of his present Majesty, for permitting the importation of masts, yards, bowsprits, and timber for naval purposes, from the British colonies in North America.

126. To alter and extend an Act passed in the 8th year of king George the 1st, for relief of shipwrecked mariners and distressed persons, being his Majesty's subjects, in the kingdom of Portugal.

127. To permit the exportation to foreign parts from Scotland and Ireland of linen cloth without stamps.

128. To amend the several Acts for regulating the Foundling-hospital in Dublin.

129. To grant to his Majesty rates and duties, and to allow drawbacks and bounties on certain goods, wares, and merchandize imported into and exported from Ireland, in lieu of former rates and duties, drawbacks and bounties.

130. To continue, until three months after the ceasing of any restriction imposed on the bank of England from issuing cash in payment, the several Acts for confirming and continuing the restrictions on payments in cash by the bank of Ireland.

131. To provide for the better execution of the laws in Ireland, by appointing superintending magistrates and additional constables in counties in certain cases.

132. To repeal the duty payable in Ireland on certain houses or tenements, under the annual value of ten pounds.

133. For better enabling the commissioners of stamps to make allowances for spoiled stamps on policies of insurance in Great Britain, and for preventing frauds relating thereto.

134. To continue, until the 1st day of January, 1816, and to amend several acts for allowing

importations from, and exportations to the places within the limits of the charter of the East India Company, in ships not of British-built, and for the better maintenance and care of Lascars and other Asiatic seamen arriving in this kingdom.

135. To further explain and amend an Act of the fiftieth year of his present Majesty's reign, for repealing certain parts of several Acts relating to the limiting the number of persons to be carried by stage-coaches in Ireland.

136. For enabling the commissioners of the northern light-houses to purchase the island and light of May, at the entrance of the Frith of Forth, for enabling the commissioners of the Treasury to advance a certain sum of money towards that purpose, and for amending several acts in regard to the northern light-houses.

137. For rendering the payment of creditors more equal and expeditious in Scotland.

138. To enable the trustees appointed by an Act of the 49th year of his present Majesty, for the improvement of the passage across the Frith of Forth, called the Queensferry, to carry the same into execution.

139. To rectify a mistake in an Act of this session of parliament, for raising the sum of 24 millions by way of annuities.

140. To amend several acts of the parliament of Ireland, for granting certain annuities.

141. To alter so much of an Act, made in the fifty-second year of his present Majesty, as relates to the duties payable in respect of killing of game.

142. To permit the exportation of tea to the British colonies in America, Guernsey, Jersey, Europe, and Africa, without payment of duty.

143. To repeal the duties granted by an Act passed in the 11th year of his present Majesty, for repairing, amending, and supporting the several harbours and sea-ports in the isle of Man, and for granting new duties in lieu thereof; and for giving further powers to the commissioners appointed under the said Act.

144. For better securing the stamp duties on sea insurances made in London, and for altering the period for taking out stamp office certificates by attornies and others in England.

145. To take away corruption of blood save in certain cases.

146. To alter the punishment in certain cases of high treason.

147. For the better regulation of the drivers of licensed hackney coaches; for explaining and amending an Act passed in the 48th year of his present Majesty, relating to hackney coaches; and for authorizing the licensing of a limited number of hackney chariots.

148. For imposing an excise duty on silk handkerchiefs sold by the East India company for home consumption.

149. To regulate, until the end of the next session of parliament, the trade in spirits between Great Britain and Ireland, reciprocally.

150. To consolidate and amend the regulations contained in several acts of parliament, for imposing and levying of fines upon parishes, townlands, and other places, in respect of the unlawful distillation of spirits in Ireland.

151. To repeal an Act passed in the 52nd year of his present Majesty for better regulating the office of agent-general for volunteers, and local militia, and for the more effectually regulating the said office, and to make further provisions for the regulation of the office of agent-general.

152. To repeal certain parts of an Act made in the 12th year of the reign of his present Majesty, for regulating the making, keeping, and carriage of gun-powder within Great Britain.

153. To regulate the payment of drawback on paper allowed to the universities in Scotland.

154. For further amending and enlarging the powers of an Act of the 46th year of his present Majesty, intituled An Act for consolidating and rendering more effectual the several Acts for the purchase of buildings and further improvement of the streets and places near to Westminster-hall, and the two Houses of Parliament, and for other purposes therein mentioned.

155. To repeal an Act for establishing regulations respecting aliens arriving in or resident in this kingdom, in certain cases, and for substituting other provisions until the end of the next session of parliament in lieu thereof.

156. To amend the several Acts for the encouragement of learning, by securing the copies and copy-wright of printed books, to the authors of such books, or their assigns.

157. For the better regulation of the conduct of the business of the office of works, and the expenditure thereof.

158. To continue, for one year, certain Acts for the better prevention and punishment of attempts to seduce persons serving in his Majesty's forces by sea or land from their duty and allegiance to his Majesty, or to incite them to mutiny or disobedience.

159. For the better regulation of the several ports, harbours, road-steads, sounds, channels, bays, and navigable rivers in the United Kingdom, and of his Majesty's docks, dock-yards, arsenals, wharfs, moorings, and stores therein, and for repealing several Acts passed for that purpose.

160. To enable his Majesty to settle an annuity upon her royal highness the Princess of Wales during the joint lives of his Majesty and of her Royal Highness.

161. For settling and securing an annuity on Arthur duke of Wellington, and his heirs: and for empowering the Lord High

Treasurer, or Lords Commissioners of the Treasury, to advance out of the consolidated fund of Great Britain a sum of money in lieu of such annuity to purchase an estate, in order to accompany the said title, in consideration of the eminent and signal services performed by the said duke of Wellington, to his Majesty and to the public; and for making further provision for the disposal of a sum of money granted by an Act of the last session of parliament, for purchasing an estate for the said duke, then marquis of Wellington.

162. For settling and securing an annuity on lord Beresford, and the persons to whom the title of lord Beresford shall descend, in consideration of his eminent services.

163. For settling and securing an annuity on lord Combermere, and the two next persons to whom the title of lord Combermere shall descend, in consideration of his eminent services.

164. For settling and securing an annuity on lord Exmouth, and the persons to whom the title of lord Exmouth shall descend, in consideration of his eminent services.

165. For settling and securing an annuity on lord Hill, and the persons to whom the title of lord Hill, shall descend, in consideration of his eminent services.

166. For settling and securing an annuity on lord Lynedoch, and the persons to whom the title of lord Lynedoch shall descend, in consideration of his eminent services.

167. For applying a certain sum of money arisen, or to arise from certain duties granted to his Majesty during the continuance of the present war, and for applying certain monies therein mentioned for the service of the year 1814; and for further appropriating the supplies granted in this session of parliament.

168. To amend the laws respecting the attestation of instruments of appointment and revocation made in exercise of certain powers in deeds, wills, and other instruments.

169. For making certain regulations respecting the postage of ship-letters, and of letters in Great Britain.

170. To repeal certain provisions in local Acts for the maintenance and regulation of the poor, and to make other provisions in relation thereto.

171. To empower the commissioners of his Majesty's Treasury to restore seizures, or remit or mitigate fines, penalties, or forfeitures incurred concerning any laws relating to the customs or excise, or navigation and trade of Great Britain.

172. For repealing the duties payable in Scotland upon distillers wash, spirits, and licences, and for granting other duties in lieu thereof.

173. To alter and amend certain of the powers and provisions of several Acts passed for the redemption and sale of the land tax, and for making further provision for the redemption thereof.

174. For letting to farm the post-horse duties.

175. To explain and amend several Acts relating to spiritual persons holding of farms, and for enforcing the residence of such persons on their benefices in England, for one year, and from thence until six weeks after the meeting of the then next session of parliament.

176. For defraying the charge of the pay and cloathing of the local militia in Great Britain for the year 1814.

177. For defraying the charge of the pay and clothing of the militia of Ireland, and for making allowances in certain cases to subaltern officers of the said militia during peace.

178. To continue so much of an Act, made in the 43rd year of his present Majesty's reign, for authorizing the billetting and subjecting to military discipline certain yeomanry corps and officers of cavalry or infantry, as relates to such corps in Ireland.

179. To amend an Act passed in the 49th year of his present Majesty's reign, intituled An Act for amending and reducing into one Act of parliament the several laws for raising and training the militia of Ireland.

180. To provide for the preserving and restoring of peace in such parts of Ireland as may at any time be disturbed by seditious persons, or by persons entering into unlawful combinations or conspiracies.

181. To render more easy and effectual redress for assaults in Ireland.

182. To continue, until the 25th day of March, 1816, an Act for regulating the trade to the Isle of Malta; and to revive and continue, for the same period, several Acts relating to the trade to the Cape of Good Hope; and to the bringing and landing certain prize goods in Great Britain.

183. To impose a countervailing duty of excise on bleaching powder imported from Ireland.

184. For the effectual examination of accounts of the receipt and expenditure of the colonial revenues in the islands of Ceylon, Mauritius, Malta, Trinidad, and in the settlements of the Cape of Good Hope, for five years.

185. To allow a bounty on the exportation from Great Britain of British made cordage.

186. For the more easy apprehending and trying of offenders escaping from one part of the United Kingdom to the other.

187. To revive and continue, until the 1st day of June, 1820, and to amend several Acts for the more effectual prevention of depredations on the river Thames and its vicinity.

188. For enabling his Majesty to raise the sum of three millions for the service of Great Britain, and for applying the sum of 200,000*l.* British currency for the service of Ireland.

189. To defray the charge of the pay, clothing, and contingent expenses of the disembodied militia in Great Britain, and of the miners of Cornwall and Devon, and for granting allowances, in certain cases, to subaltern officers, adjutants, surgeons mates, and serjeant-majors of militia, until the 25th day of June, 1815.

190. For appointing commissioners for carry-into execution an Act of this session of parliament, for granting to his Majesty a duty on pensions and offices in England; and an Act made in the 38th year of his present Majesty, for granting an aid to his Majesty by a land tax to be raised in Great Britain, for the service of the year 1798.

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